

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DONALD GLASS,

CASE NO. 1:04-cv-05466-OWW-SMS PC

Plaintiff,

ORDER REQUIRING DEFENDANTS TO FILE
OPPOSITION OR STATEMENT OF NON-
OPPOSITION TO PLAINTIFF'S MOTION TO
TERMINATE/VACATE VOLUNTARY
DISMISSAL AND SETTLEMENT
AGREEMENT WITHIN THIRTY DAYS

v.

BEER, et al.,

Defendant.

/ (Doc. 243)

On December 27, 2010, Plaintiff filed a motion to terminate/vacate voluntary dismissal and settlement agreement and seeking to reschedule the jury trial or direct Defendants to pay Plaintiff and return witness fees and travel expenses¹. Defendants were required to file an opposition or a statement of non-opposition to the motion within twenty-one days, but has not done so. Local Rule 230(l).

Accordingly, within **thirty (30) days** from the date of service of this order, Defendants must file an opposition or a statement of non-opposition to Plaintiff's motion to terminate/vacate voluntary dismissal and settlement agreement seeking to reschedule the jury trial or direct Defendants to pay Plaintiff and return witness fees and travel expenses. Whether Defendants file an opposition or a statement of non-opposition, they must advise when Sgt. Scaife will file the witness fees and travel expenses with the Court.

IT IS SO ORDERED.

Dated: February 20, 2011

/s/ Sandra M. Snyder
UNITED STATES MAGISTRATE JUDGE

¹ While witness Sgt. Rangel and Nurse Lt. Koeppel have returned their witness fees and travel expenses, witness Sgt. Scaife has failed to do so.