

1 René Lastreto, II, #100993  
2 Scott J. Ivy, #197681  
3 Christy M. Thornton, #247307  
4 Lang, Richert & Patch  
5 Post Office Box 40012  
6 Fresno, California 93755-0012  
7 (559) 228-6700 Phone  
8 (559) 228-6727 Fax

9 K:\OWW\To\_Be\_Signed\06cv653.osc.re.appr.&settl.wpd:rp

10 Attorneys for Defendants ERROTABERE RANCHES, a California partnership; DANIEL D.  
11 ERROTABERE; an individual; JEAN ERROTABERE, an individual

12 UNITED STATES DISTRICT COURT  
13 EASTERN DISTRICT OF CALIFORNIA  
14 FRESNO DIVISION

15 JAMES M. OLVEY,  
16 Plaintiff,

17 v.

18 ERROTABERE RANCHES, a California  
19 partnership; DANIEL D. ERROTABERE; an  
20 individual; JEAN ERROTABERE, an  
21 individual

22 Defendants.

Case No.: 1:06-CV-00653-OWW-SMS

**ORDER TO APPEAR AND ORDER TO  
SHOW CAUSE REGARDING  
APPEARANCE AT STATUS  
CONFERENCE AND COMPLETION OF  
SETTLEMENT**

Date: October 5, 2009  
Time: 11:00 a.m.  
Courtroom: 3

23 On September 21, 2009, at 10:00 a.m. in Courtroom 3 of the above-entitled court, The  
24 Honorable Oliver W. Wanger presiding, a Status Conference re settlement was held in this matter.  
25 Scott J. Ivy appeared on behalf of Defendants. No appearances were made on behalf of Plaintiff  
26 James Olvey, nor was any explanation provided for plaintiff's lack of reponse. At the conclusion of  
27 the hearing, the Court made the following Orders

- 28 1. Plaintiff James Olvey is HEREBY ORDERED to personally appear in Department  
3 on October 5, 2009 at 11:00 a.m.
2. The Court also issued an ORDER TO SHOW CAUSE for October 5, 2009 at 11:00

1 a.m. as to why the Court should not Order the settlement previously reached and  
2 memorialized on February 5, 2009 be consummated, and why appropriate sanctions  
3 should not be imposed upon Plaintiff.

4  
5 3. The Court also ORDERED Defendants' attorney to serve notice of these Orders to  
6 Plaintiff James Olvey, with a courtesy copy to Plaintiff's former attorney Kurt F.  
7 Vote.

8 IT IS SO ORDERED.

9 **Dated:** September 21, 2009

10 /s/ Oliver W. Wanger  
11 UNITED STATES DISTRICT JUDGE  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28