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**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF CALIFORNIA**

**SARAH GARCIA, a minor by and
through her guardian ad litem
CHARLENE RODRIGUEZ,**

Plaintiff,

v.

**BERTHA GONZALEZ, JUAN
ERNESTO, FRESNO COUNTY,
FRESNO COUNTY DEPARTMENT OF
CHILDREN AND FAMILY SERVICES,
LUPE OROZCO, RENEE RAMIREZ,
ERNIE RUSSEL, YOLANDA EROS,
individuals and as employees of the
County of Fresno, and DOES 1-250,
inclusive,**

Defendants.

1:06-CV-940 AWI GSA

**ORDER RESETTING
DEADLINE TO FILE MOTION
FOR APPROVAL OF MINOR'S
SETTLEMENT**

(Doc. No. 57)

On October 13, 2010, minor Plaintiff Sarah Garcia filed a notice of settlement, which indicated that the case has been settled between the parties. See Local Rule 160. On October 18, 2010, the Court vacated all previously scheduled dates and deadlines, and ordered Plaintiff to file a motion for approval of settlement no later than 21 days from service of the order, i.e. November 8, 2010.

On November 5, 2010, Plaintiff's counsel submitted a request to move the deadline for filing the motion for approval of settlement. Plaintiff's counsel indicates that he is trying to

1 resolve the Medi-Cal liens with the State of California. Counsel declares that the State is slow to
2 respond and is operating pursuant to furloughs. Counsel declares that he believes that he will be
3 able to settle the liens and can file a motion for approval on or by January 4, 2011. Counsel
4 declares that Defendants do not object to setting a deadline of January 4, 2011. Plaintiff's
5 counsel also requests that the presentation of the settlement be on an ex parte basis since there
6 are no objecting parties.

7 The Court believes sufficient good cause has been stated to extend the previously ordered
8 deadline. The Court will grant Plaintiff's request to reset the deadline for filing a motion to
9 approve the minor's settlement to January 4, 2011. The motion shall be filed according to Rule
10 202(b)(2). If Defendants have no objection and do not intend to be heard regarding approval of
11 the settlement, then they may file a statement to that effect. If the Magistrate Judge wishes to
12 shorten time on the hearing based on such a submission, then he has the discretion to shorten
13 time upon an application by Plaintiff. See Local Rule 144(e). Otherwise, the Court will not
14 grant Plaintiff's request for ex parte procedures.

15
16 Accordingly, IT IS HEREBY ORDERED that Plaintiff shall file a motion to approve
17 settlement in accordance with Local Rule 202(b) as soon as possible, but no later than January 4,
18 2011.

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20 IT IS SO ORDERED.

21 Dated: November 9, 2010

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24 CHIEF UNITED STATES DISTRICT JUDGE
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