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

ROGER McINTOSH,

Plaintiff,

vs.

NORTHERN CALIFORNIA  
UNIVERSAL ENTERPRISES,  
INC., et al,

Defendants.

CASE NO. CV F 07-1080 LJO GSA

**ORDER TO EXTEND DEADLINE TO  
OPPOSE POST-TRIAL MOTIONS AND TO  
SET BRIEFING FOR GOOD FAITH  
SETTLEMENT MOTION**

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Counsel for plaintiff Roger McIntosh (“Mr. McIntosh”) and defendant City of Wasco (“Wasco”) have informed this Court that they seek a good faith determination of their recent settlement. This Court concludes that a ruling on the settlement’s good faith should precede rulings on defendants’ pending alternative motions to alter or amend judgment or for new trial. As such, this Court:

1. ORDERS Mr. McIntosh and/or Wasco, no later than June 18, 2010, to file and serve opening papers for a good faith settlement determination;
2. ORDERS defendants Northern California Universal Enterprises, Inc., Lotus Developments, L.P., and Dennis W. DeWalt, Inc., no later than June 28, 2010, to file serve papers, if any, to oppose good faith settlement;
3. ORDERS Mr. McIntosh and Wasco to file no reply papers for good faith settlement, unless this Court orders otherwise; and

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4. VACATES the June 23, 2010 hearing on defendants' alternative motions to alter or amend judgment or for new trial.

With its ruling on good faith settlement, this Court will reset deadlines to file and serve opposition and reply papers for defendants' pending alternative motions to alter or amend judgment or for new trial. This Court anticipates the deadline to file opposition papers will five days after its ruling on good faith settlement. Pursuant to its practice, this Court will consider the motion for good faith settlement on the record without a hearing, unless this Court orders otherwise.

IT IS SO ORDERED.

**Dated: June 8, 2010**

/s/ Lawrence J. O'Neill  
UNITED STATES DISTRICT JUDGE