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5 **UNITED STATES DISTRICT COURT**
6 **EASTERN DISTRICT OF CALIFORNIA**
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8 **SAMI MITRI,**

9 **Plaintiff**

10 **v.**

11 **WALGREEN COMPANY,**

12 **Defendant**

CASE NO. 1:10-CV-538 AWI SKO

**ORDER FOR THE PARTIES TO
SUBMIT A JOINT STATUS REPORT**

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15 On September 16, 2016, the Ninth Circuit issued an opinion in this matter. See Doc. No.
16 164. The Ninth Circuit affirmed in part, reversed in part, and remanded this Court's decision
17 regarding Defendant's renewed motion for judgment as a matter of law. See id. In relevant part,
18 the Ninth Circuit remitted the punitive damages award to \$352,000, and remanded the matter for a
19 "new trial if [Plaintiff] declines to accept [the Ninth Circuit's] remittitur." Id.

20 The Clerk of this Court reopened this case on September 19, 2016.

21 A review of the Ninth Circuit docket indicates that Plaintiff has accepted the Ninth's
22 Circuit's remittitur on September 30, 2016. See Ninth Circuit Docket in Case No. 14-17580,
23 Document No. 53.

24 On October 12, 2016, the Ninth Circuit issued its mandate. See Doc. No. 165.

25 Given Plaintiff's acceptance of the remittitur, and the now reopened status of this case, it is
26 appropriate for the parties to file a joint status report. The parties should include in their joint
27 status report whether this case should remain open. If the parties fail to file a timely status report,
28 the Court will close this case without further notice.

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Accordingly, IT IS HEREBY ORDERED that:

1. The parties shall file a joint status report on or by October 24, 2016; and
2. The failure of the parties to file a joint status report will result in the closure of this case without further notice.

IT IS SO ORDERED.

Dated: October 17, 2016



SENIOR DISTRICT JUDGE