

**FILED**

September 13, 2011

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

EXCELSIOR METALS, INC.,  
Plaintiff,  
vs.

NO. 1:10-CV-02033-OWW-SMS

**ORDER RE DISPOSITIVE DOCUMENTS  
AFTER NOTICE OF SETTLEMENT**

HAN KWANG USA, INC.,  
Defendant.

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Counsel has informed the court that the parties have settled the above-captioned case. In accordance with the provisions of Local Rule 160 (Fed. R. Civ. P. 16), the court now orders that a dispositive documents be submitted no later than October 3, 2011.

**All court dates,** as well as any pending motions heretofore set in this matter are hereby **VACATED** (including Settlement Conference of 9/20/2011; Pretrial Conference of 11/21/2011 and Jury Trial of 1/10/2012).

**Failure to comply with this order may be grounds for the imposition of sanctions on any and all counsel or parties who**

1 contributed to the violation of this order (see attached Notice of  
2 Local Rule 160 and Local Rule 272.)

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4 **IT IS SO ORDERED.**

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6 DATED: September 13, 2011

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8 /s/ Sandra M. Snyder  
9 SANDRA M. SNYDER  
10 UNITED STATES MAGISTRATE JUDGE  
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**NOTICE**

**Local Rule 160 (Fed. R. Civ. P. 16)**

**NOTICE OF SETTLEMENT OR OTHER DISPOSITION**

**(a) Notice.** When an action has been settled or otherwise disposed of, or when any motion seeking general or interim relief has been resolved, whether by settlement conference or out of Court, and whether the action is pending in the District Court or is before an appellate court, it is the duty of counsel to inform the courtroom deputy clerk and the assigned Court's chambers immediately. See L.R. 272.

**(b) Dispositional Documents.** Upon such notification of disposition or resolution of an action or motion, the Court shall thereupon fix a date upon which the documents disposing of the action or motion must be filed, which date shall not be more than twenty-one (21) calendar days from the date of said notification, absent good cause. The Court may, on good cause shown, extend the time for filing the dispositional papers. A failure to file dispositional papers on the date prescribed by the Court may be grounds for sanctions. See L.R. 272.

**Local Rule 272 (Fed. R. Civ. P. 16)**

**NOTICE OF SETTLEMENT**

**(a) General Rule.** See L.R. 160.

**(b) Sanctions.** If for any reason attributable to counsel or parties, including settlement, the Court is unable to commence a jury trial as scheduled where a panel of prospective jurors has reported for voir dire, the Court may assess against counsel or parties responsible all or part of the cost of the panel. See L.R. 110.