

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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

COLORADO BOAT BROKER, INC.,

Plaintiff,

vs.

MIKE BRENDEL,

Defendant.

CASE NO. CV F 11-1457 LJO SKO

**ORDER TO SET RENEWED SCHEDULING
CONFERENCE**
(Docs. 32, 33.)

Date: August 9, 2012

Time: 9:30 a.m.

Dept.: 7 (SKO)

In response to this Court's July 18, 2012 order to show cause, the parties have filed papers to indicate they have reached an impasse as to a penalty for boats which are sold by a dealer outside Colorado and which are registered in Colorado. This Court's review of the record indicates that terms as to the penalty placed on the record are imprecise and essentially convey a commitment to act in good faith to reach a penalty provision. As such, this Court is not in a position to enforce such a penalty provision.

Given inability to conclude settlement, this Court:

1. SETS a renewed scheduling conference for **August 9, 2012 at 9:30 a.m. in Dept. 7 (SKO)** to reset necessary discovery, motion, pretrial conference and trial dates; and
2. ORDERS the parties, no later than **August 2, 2012**, to file a joint renewed scheduling report.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

The parties are free to address a renewed settlement conference with U.S. Magistrate Judge
Sheila Oberto.

IT IS SO ORDERED.

Dated: July 25, 2012

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