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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

JOSE ESCOBEDO,

Plaintiff,

v.

CHUN & ASSOCIATES, INC., dba  
R-N MARKET; JOHN R. COOK,  
Trustee of the JOHN R. COOK  
AND DEBRA L. COOK 2007  
REVOCABLE TRUST; DEBRA L.  
COOK, Trustee of the JOHN R.  
COOK AND DEBRA L. COOK 2007  
REVOCABLE TRUST,

Defendant.

No. 1:15-cv-01126-GEB-SMS

**ORDER RE: SETTLEMENT AND  
DISPOSITION**

Plaintiff filed a "Notice of Settlement of Entire Action" on October 6, 2015, in which he states: "Plaintiff . . . has settled the above-captioned matter with all Defendants. Plaintiff requests that he be given to and including November 5, 2015 to file the dispositional documents in order to afford the Parties time to complete the settlement." (Notice of Settlement, ECF No. 13.)

Therefore, a dispositional document shall be filed no later than November 5, 2015. Failure to respond by this deadline may be construed as consent to dismissal of this action without prejudice, and a dismissal order could be filed. See E.D. Cal. R. 160(b) ("A failure to file dispositional papers on the date

1 prescribed by the Court may be grounds for sanctions." ).

2 Further, the Status Conference scheduled for hearing on  
3 November 9, 2015, is continued to commence at 9:00 a.m. on  
4 December 7, 2015, in the event no dispositional document is  
5 filed, or if this action is not otherwise dismissed.<sup>1</sup> A joint  
6 status report shall be filed fourteen (14) days prior to the  
7 status conference.

8 IT IS SO ORDERED.

9 Dated: October 7, 2015

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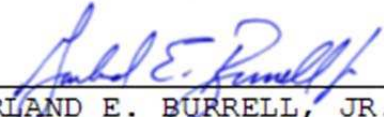
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GARLAND E. BURRELL, JR.  
Senior United States District Judge

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<sup>1</sup> The status conference will remain on calendar, because the mere representation that a case has been settled does not justify vacating a scheduling proceeding. Cf. Callie v. Near, 829 F.2d 888, 890 (9th Cir. 1987) (indicating that a representation that claims have been settled does not necessarily establish the existence of a binding settlement agreement).