

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

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

LARRY JAMES PORTER,

Plaintiff,

v.

O. RIVAS, et al.,

Defendants.

Case No. 1:22-cv-00105-KES-CDB (PC)

**ORDER REGARDING NOTICE OF
SETTLEMENT AND REQUEST TO
VACATE DEADLINES**

(Doc. 55)

INTRODUCTION

Defendant O. Rivas filed a Notice of Settlement and Request to Vacate All Deadlines on June 3, 2024. (Doc. 55.) Specifically, Defendant states that the parties agreed to settle this case on May 20, 2024. (*Id.*) Defense counsel mailed settlement documents, including a stipulation for voluntary dismissal, to Plaintiff the following day. (*Id.*) Counsel has not yet received the documents back from Plaintiff, but notes prison mail can often be delayed. (*Id.*) Counsel asks the Court to vacate all deadlines in the Discovery and Scheduling Order due to the settlement. (*Id.*) Finally, counsel states he will promptly file a stipulation for voluntary dismissal upon receipt from Plaintiff. (*Id.*)

CONCLUSION AND ORDER

Based on the notice filed by Defendant, the Court **ORDERS** the parties to file dispositional documents **within 21 days** of the date of this order. *See* Local Rule 160.

1 Further, the Court **ORDERS** all deadlines set forth in the Discovery and Scheduling
2 Order issued November 21, 2023, and as modified by this Court's order issued March 13, 2024,
3 are **VACATED**.

4 Failure to timely comply with this order will result in the imposition of sanctions.

5 IT IS SO ORDERED.

6 Dated: **June 4, 2024**


UNITED STATES MAGISTRATE JUDGE