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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

CARLOS EMMANUEL MORENO
ORTEGA,

Plaintiff,

v.

NISSAN NORTH AMERICA, INC.,

Defendant.

Case No. 1:22-cv-01581-KES-EPG

ORDER REGARDING NOTICE OF
SETTLEMENT

(ECF NO. 56)

On November 8, 2024, the parties filed a joint notice of settlement, stating as follows:

PLEASE TAKE NOTICE that Plaintiff, CARLOS EMMANUEL MORENO ORTEGA, and Defendant, NISSAN NORTH AMERICA, INC, (the “Parties”), jointly, write to advise this Court that they have settled this matter; however, the attorneys’ fees, costs, and expenses remain outstanding, and Plaintiff intends to file a noticed motion. The Parties request that the Court vacate any upcoming hearings and deadlines while the performance of the settlement terms is pending.

Once all terms of the settlement are completed and payment is received by Plaintiff and after payment of Plaintiff’s attorneys’ fees, costs and expenses, to be determined by agreement of the Parties or by noticed motion, the Parties shall file an executed Stipulation of Dismissal of the entire action with prejudice. The Parties expect to file the dismissal papers within 90 days.

Based on the foregoing, the Parties respectfully request that the Court Order that this action be dismissed without prejudice and the Court continue to retain jurisdiction over this action to enforce the terms of the settlement agreement.

(ECF No. 56).

As a notice of settlement has been filed, the Court will vacate any and all deadlines and proceedings currently pending before the Court. However, rather than dismiss this action now, the

1 Court will wait to dismiss the action until after the parties file their upcoming stipulation of
2 dismissal.

3 Accordingly, IT IS ORDERED as follows:

- 4 1. In light of Plaintiffs' notice of settlement, any and all deadlines and proceedings currently
5 pending before the Court are vacated. (ECF No. 56).
6 2. The parties shall file their stipulation of dismissal by no later than February 10, 2025.¹

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8 IT IS SO ORDERED.

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9 Dated: November 13, 2024

/s/ Eric P. Gray
UNITED STATES MAGISTRATE JUDGE

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¹ If the parties cannot resolve outstanding issues before this time, they may request extension of this deadline.