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

MEL TYRON EDWARD,

Plaintiff,

Case No. 2:03-cv-02584 ALA (P)

vs.

STEPHEN SCARSELLA, et al.,

Defendants.

ORDER

_____ /

On November 13, 2008, counsel for Plaintiff filed a stipulation for dismissal signed by both parties, after a settlement was reached on November 3, 2008. (Doc. 224). On December 11, 2008, this Court dismissed all claims in this action with prejudice. (Doc. 225).

On February 11, 2009, Plaintiff filed a pleading styled as a motion requesting settlement information, requesting information regarding a "Court Cost Fee" in the amount of \$5,424, listed in the Settlement Fund Disbursement letter Plaintiff received from his counsel, dated December 12, 2008. (Doc. 226). Plaintiff has also requested that a "Detailed Settlement Agreement" be prepared, describing the "Court Cost Fee." *Id.* According to Plaintiff, he was never asked to sign a settlement agreement in this case and he would like to do so.

In the December 12, 2008 Settlement Fund Disbursement letter sent to Plaintiff by his counsel, and attached to Plaintiff's motion (doc. 226), there is a charge in the amount of \$5,424

1 described as “Court,” in the itemized list of disbursements deducted from the overall settlement
2 amount payable to Plaintiff. The Court is unclear as to what this charge relates. None of the
3 costs approved for payment by the Court appear to correspond with the amount of \$5,424. *See*
4 *e.g.*, Orders at Docs. 181, 182. Moreover, if the Court ordered payment of these authorized
5 costs, it is unclear why the costs would have been charged to Plaintiff.

6 Counsel for Plaintiff is hereby directed to provide the Court with any information counsel
7 may have that is responsive to Plaintiff’s queries concerning the final settlement agreement and
8 the amounts disbursed, so that the Court may prepare and file an appropriate response to
9 Plaintiff’s requests. Counsel for Plaintiff is specifically asked to advise the Court whether a final
10 settlement agreement, signed by Plaintiff, is required in this case.

11 *////*

12 DATED: February 19, 2009

13 _____
14 /s/ Arthur L. Alarcón
15 UNITED STATES CIRCUIT JUDGE
16 Sitting by Designation
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