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

JESSICA ROSE,)	
)	2:07-cv-000317-GEB-DAD
Plaintiffs,)	
)	
v.)	<u>ORDER RE: SETTLEMENT</u>
)	<u>AND DISPOSITION</u>
THE MUNIRS COMPANY; MOHAMMED MUNIR;)	
IHOP CORPORATION,)	
)	
Defendants.)	
_____)	

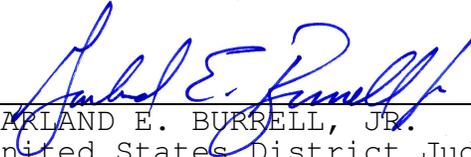
On January 27, 2009, parties filed a Notice of Settlement in which it states "this entire case has been settled." Therefore, a dispositional document shall be filed no later than February 16, 2009. Failure to respond by this deadline may be construed as consent to dismissal of this action without prejudice, and a dismissal order could be filed. See L.R. 16-160(b) ("A failure to file dispositional papers on the date prescribed by the Court may be grounds for sanctions.").

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1 The trial scheduled for March 10, 2009, at 9:00 a.m. will
2 remain on calendar in the event that no dispositional document is
3 filed, or if this action is not otherwise dismissed.¹ However, all
4 filings in the Final Pretrial Order shall be filed ten court days
5 before trial.

6 IT IS SO ORDERED.

7 Dated: February 2, 2009

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10 GARLAND E. BURRILL, JR.
11 United States District Judge
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25 _____
26 ¹ The trial will remain on calendar, because the mere
27 representation that an action has been settled does not justify
28 removal of the action from a district court's trial docket. 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).