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

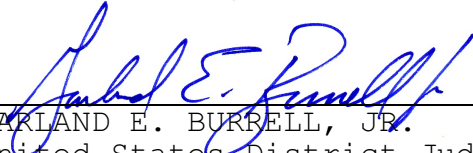
BANK OF AMERICA, N.A.,)	
)	2:07-cv-1584-GEB-EFB
Plaintiff and)	
Counter-Defendant,)	<u>ORDER RE SETTLEMENT</u>
)	
v.)	
)	
HENSLEY PROPERTIES, L.P.,)	
)	
Defendant and)	
Counter-Claimant.)	
_____)	

On January 7, 2009, the parties filed a Joint Notice of Settlement and Withdrawal of Pending Motions in which they state "a settlement has been reached in the above-referenced matter. The parties are in the process of documenting the settlement." Further, the parties withdraw the motions currently set for hearing on January 12, 2009. Therefore, those motions are withdrawn and the hearing date is vacated.

A dispositional document shall be filed no later than January 27, 2009. Failure to respond by this deadline may be construed as consent to dismissal of this action without prejudice,

1 and a dismissal order could be filed. See L.R. 16-160(b) ("A
2 failure to file dispositional papers on the date prescribed by the
3 Court may be grounds for sanctions.").

4 Dated: January 8, 2009

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8 GARLAND E. BURRELL, JR.
9 United States District Judge
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