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

NOEL FELIX ORTEGA,

Plaintiff,

No. CIV S-07-2095 DAD P

vs.

JEFF KELLY, et. al.,

Defendant.

ORDER

\_\_\_\_\_ /

Plaintiff is a state prisoner proceeding pro se and in forma pauperis with a civil rights action seeking relief under 42 U.S.C. § 1983. This case was referred to Magistrate Judge Craig S. Kellison to conduct a settlement conference at High Desert State Prison on January 11, 2010, at 3:00 p.m.

On February 12, 2010, defense counsel informed the court that the parties have verbally agreed to enter into settlement. The parties anticipate filing a stipulation for dismissal of this action within sixty days. Defense counsel requests that the court vacate upcoming scheduling order dates.

Good cause appearing, IT IS HEREBY ORDERED that:

1. Defendant’s February 12, 2010 request to vacate upcoming scheduling order dates (Doc. No. 46) is granted;

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2. The court's scheduling order dates related to dispositive motions (February 26, 2010), pretrial statements (March 26, 2010 and April 9, 2010), and pretrial conference (April 16, 2010) are vacated. The court will issue a revised scheduling order if necessary at a future date; and

3. The parties are directed to file a status report or a stipulation for dismissal of this action within sixty days of the date of this order.

DATED: February 22, 2010.

  
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DALE A. DROZD  
UNITED STATES MAGISTRATE JUDGE

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