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7 IN THE UNITED STATES DISTRICT COURT  
8 FOR THE EASTERN DISTRICT OF CALIFORNIA  
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10 SALLY McCARREL and BRIAN McCARREL, )  
11 Plaintiffs, ) 2:07-cv-02267-GEB-DAD  
12 v. ) ORDER RE: SETTLEMENT  
13 STRYKER CORPORATION, ) AND DISPOSITION  
14 Defendant. )  
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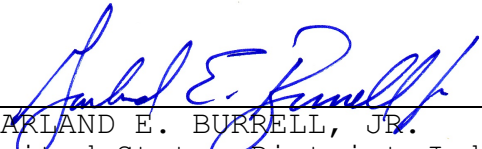
16 On January 30, 2008, a Notice of Settlement was filed in  
17 this action. Therefore, a dispositional document shall be filed no  
18 later than February 19, 2008. Failure to respond by this deadline  
19 may be construed as consent to dismissal of this action without  
20 prejudice, and a dismissal order could be filed. See L.R. 16-160(b)  
21 ("A failure to file dispositional papers on the date prescribed by  
22 the Court may be grounds for sanctions.").

23 The status conference scheduled for March 17, 2008, at 9:00  
24 a.m., will remain on calendar in the event that no dispositional  
25 document is filed, or if this action is not otherwise dismissed.  
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1 Further, a joint status report shall be filed fourteen days prior to  
2 the status conference.<sup>1</sup>

3 IT IS SO ORDERED.

4 Dated: February 5, 2008

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7 GARLAND E. BURRELL, JR.  
8 United States District Judge  
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25 <sup>1</sup> The status conference will remain on calendar, because  
26 the mere representation that an action has been settled does not  
27 justify removal of the action from a district court's trial docket.  
28 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).