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

SCOTT N. JOHNSON,)
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Plaintiff,)
)
v.)
)
OMKAR PROPERTIES, INC., d/b/a)
SUPER 8 EXECUTIVE SUITES; OMKAR)
PARTNERSHIP, a California General)
Partnership d/b/a SUPER 8 EXECUTIVE)
SUITES; RAMESH D. PATEL, d/b/a)
SUPER 8 EXECUTIVE SUITES; DINESH)
D. PATEL, d/b/a SUPER 8 EXECUTIVE)
SUITES; NARENDRA D. PATEL, d/b/a)
SUPER 8 EXECUTIVE SUITES,)
)
Defendants.)
_____)

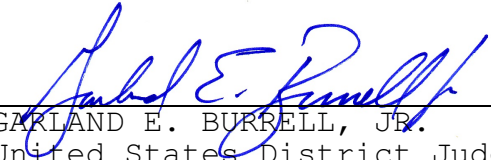
2:07-cv-02331-GEB-KJM
ORDER RE: SETTLEMENT
AND DISPOSITION

On January 29, 2008, Plaintiff filed a Notice of Settlement in which he states "the parties have settled this action" and "[d]ispositional documents will be filed within (20) calendar days." Therefore, a dispositional document shall be filed no later than February 18, 2008. 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.").

1 The status conference scheduled for March 17, 2008, is
2 reset for hearing on March 31, 2008, at 9:00 a.m., in the event that
3 no dispositional document is filed, or if this action is not
4 otherwise dismissed. Further, a joint status report shall be filed
5 fourteen days prior to the status conference.¹

6 IT IS SO ORDERED.

7 Dated: February 5, 2008

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10 _____
11 GARLAND E. BURRELL, JR.
12 United States District Judge
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25 _____
26 ¹ The status conference will remain on calendar, because
27 the mere representation that an action has been settled does not
28 justify 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).