

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

10 SCOTT N. JOHNSON, )  
11 Plaintiff, )  
12 v. )  
13 DAVID D. VO, d/b/a RICE NOODLE; )  
14 DIEU VAN VO, d/b/a RICE NOODLE; )  
15 KIM HONG VO, d/b/a RICE NOODLE; )  
16 CHIE OGAWA, an individual; )  
TAKAAKI OGAWA, an individual, )  
Defendants. )  
\_\_\_\_\_  
) ORDER RE: SETTLEMENT  
AND DISPOSITION

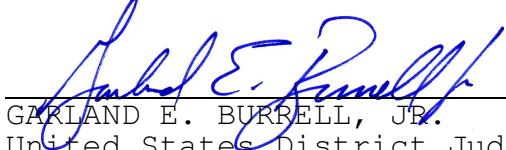
18 On January 29, 2008, Plaintiff filed a Notice of Settlement  
19 in which he states "the parties have settled this action" and  
20 "[d]ispositional documents will be filed within (20) calendar days."  
21 Therefore, a dispositional document shall be filed no later than  
22 February 18, 2008. Failure to respond by this deadline may be  
23 construed as consent to dismissal of this action without prejudice,  
24 and a dismissal order could be filed. See L.R. 16-160(b) ("A failure  
25 to file dispositional papers on the date prescribed by the Court may  
26 be grounds for sanctions.").

27 The status conference scheduled for March 31, 2008, at 9:00  
28 a.m., will remain on calendar in the event that no dispositional

1 document is filed, or if this action is not otherwise dismissed.  
2 Further, a joint status report shall be filed fourteen days prior to  
3 the status conference.<sup>1</sup>

4 IT IS SO ORDERED.  
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6 Dated: February 5, 2008  
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GARLAND E. BURRELL, JR.  
United States District Judge

<sup>1</sup> The status conference will remain on calendar, because the mere representation that an action has been settled does not 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).