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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

SHELLY LEMIRE, individually
and as a personal
representative for the
ESTATE OF ROBERT ST. JOVITE;
GERARD CHARLES ST. JOVITE;
and NICOLE ST. JOVITE;

Plaintiffs,

v.

D.K. SISTO, JAMES NUEHRING,
REBECCA CAHOON, and C.
HOLLIDAY,

Defendants.

No. 2:08-cv-00455-GEB-EFB

**ORDER RE: SETTLEMENT AND
DISPOSITION & VACATING TRIAL**

The parties filed a "Joint Statement Re: Trial Length & Notice of Conditional Settlement," on August 3, 2015, in which they state: "[The parties] have reached a conditional settlement agreement. The parties need to work out the details of the final agreement and prepare the necessary documents. The parties request that they be permitted to file the dispositional documents, required under Local Rule 160(b), within thirty days of this notice." (Joint Statement 2:3-6, ECF No. 240.)

Therefore, a dispositional document shall be filed no later than September 2, 2015. 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 E.D. Cal. R.

1 160(b) ("A failure to file dispositional papers on the date
2 prescribed by the Court may be grounds for sanctions.").

3 Further, in light of the referenced settlement, the
4 trial, scheduled to commence on August 4, 2015, at 9:00 a.m., is
5 VACATED. A status conference is scheduled to commence at 9:00
6 a.m. on October 26, 2015, *in the event no dispositional document*
7 *is filed*, or if this action is not otherwise dismissed. A joint
8 status report shall be filed fourteen (14) days prior to the
9 status conference.

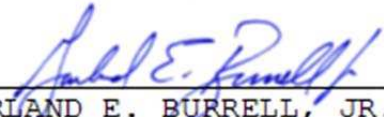
10 IT IS SO ORDERED.

11 Dated: August 3, 2015

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GARLAND E. BURRELL, JR.
Senior United States District Judge

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