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

UNITED STATES OF AMERICA,)	2:08-cv-00957-GEB-JFM
)	
Plaintiff,)	
)	
v.)	<u>ORDER RE: SETTLEMENT</u>
)	<u>AND DISPOSITION</u>
APPROXIMATELY \$8,590.00 IN U.S.)	
U.S. CURRENCY,)	
)	
Defendant.)	
_____)	

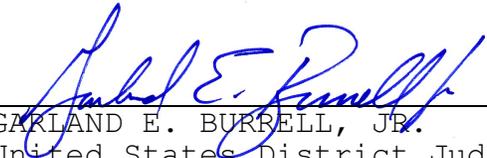
On January 15, 2009, Plaintiff United States of America filed a Status Report in which it states "[t]he parties have reached a settlement in the above-captioned case and the Notice of Settlement has been filed." Therefore, a dispositional document shall be filed no later than February 4, 2009. Failure 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.").

The status conference scheduled for February 2, 2009, is reset for hearing at 9:00 a.m. on March 30, 2009, in the event that no dispositional document is filed, or if this action is not

1 otherwise dismissed. Further, a joint status report shall be filed
2 fourteen days prior to the status conference.¹

3 IT IS SO ORDERED.

4 Dated: January 22, 2009

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6 
7 GARLAND E. BURRELL, JR.
8 United States District Judge
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25 ¹ 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).