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

8 SCOTT N. JOHNSON,)
9 Plaintiff,) 02:08-cv-01549-GEB-KJM
10 v.)
11) ORDER RE: SETTLEMENT
SUKHCHARNJIT K. GREWAL,) AND DISPOSITION
12 individually and d/b/a Mountain)
13 Mike's Pizza; Will S. Roxburgh,)
14 individually and d/b/a Fleet)
Feet of Fair Oaks; Brockway Capital)
15 Corporation, individually and)
d/b/a Max Muscle,)
16 Defendants.)

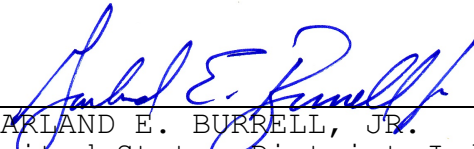
17 On April 15, 2010, Plaintiff filed a Notice of Settlement
18 in which he states "the parties have settled this action" and
19 dispositional document "will be filed within (30) calendar days."
20 Therefore, a dispositional document shall be filed no later than May
21 17, 2010. Failure to respond by this deadline may be construed as
22 consent to dismissal of this action without prejudice, and a
23 dismissal order could be filed. See L.R. 160(b) ("A failure to file
24 dispositional papers on the date prescribed by the Court may be
25 grounds for sanctions.").

26 The final pretrial conference scheduled for May 10, 2010,
27 is continued to commence at 1:30 p.m. on June 7, 2010, in the event
28 that no dispositional document is filed, or if this action is not

1 otherwise dismissed. Further, a joint final pretrial conference
2 statement shall be filed seven days prior to the final pretrial
3 conference.¹

4 IT IS SO ORDERED.

5 Dated: April 19, 2010

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8 GARLAND E. BURRELL, JR.
9 United States District Judge
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25 ¹ The final pretrial conference will remain on calendar,
26 because the mere representation that a case has been settled does
27 not justify removal of the action from a district court's trial
28 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).