

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

Defendant California Department of Corrections and Rehabilitation filed a Notice of Settlement on July 13, 2010, in which Defendant states, "the parties to this action have agreed to settlement in principle." (Docket No. 68, 1:25-26.) Defendant further states

[G]ood cause exists for the extension of time to file final disposition documents. Due to the lack of a California State Budget, the payment of Settlement Amount and the final dismissal of the action will not occur until after the adoption of a California State Budget. The parties are unaware of and cannot predict when California will adopt a state budget.

(Id., 27-2.) Therefore, Defendant requests "the Court fix a date upon which the documents disposing of this action must be filed at least 60 days after the adoption of a State budget." (Id., 2:3-5.)

Pursuant to Defendant's request, a dispositional document shall be filed no later than sixty (60) days after the State of

1 California adopts a state budget. Failure to respond by this deadline
2 may be construed as consent to dismissal of this action without
3 prejudice, and a dismissal order could be filed. See L.R. 160(b) ("A
4 failure to file dispositional papers on the date prescribed by the Court
5 may be grounds for sanctions.").

6 The trial scheduled to commence at 9:00 a.m. on August 31, 2010
7 is vacated. A status conference is scheduled for October 18, 2010 at
8 9:00 a.m., in the event that no dispositional document is filed, or if
9 this action is not otherwise dismissed. A joint status report addressing
10 only the status of filing a dispositional document shall be filed
11 fourteen days prior to the status conference.

12 IT IS SO ORDERED.

13 Dated: July 14, 2010

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15 GARLAND E. BURRELL, JR.
16 United States District Judge

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