

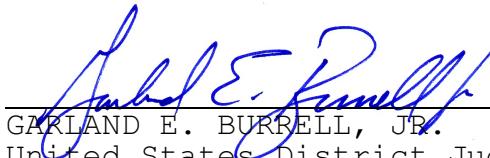
IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

On December 31, 2008, Plaintiff filed a Notice of Settlement in which he states "the parties have settled this action. Disposition documents will be filed within (20) calendar days." Therefore, a dispositional document shall be filed no later than January 20, 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 schedule for March 30, 2009, will remain on calendar, in the event no dispositional document is

1 filed. Further, a joint status report shall be filed fourteen days  
2 prior to the status conference.<sup>1</sup>

3 Dated: January 8, 2009

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5 GARLAND E. BURRELL, JR.  
6 United States District Judge

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26       <sup>1</sup> The status conference remains on calendar because the  
27 mere representation that an action has settled does not justify  
28 removing the action from the 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).