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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
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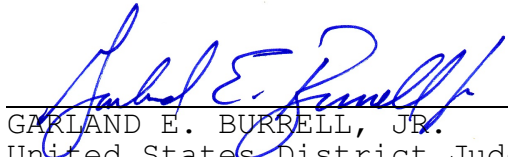
11 SCOTT N. JOHNSON,) 2:08-cv-02872-GEB-DAD
12 Plaintiff,)
13 v.) ORDER RE: SETTLEMENT
14 HYTHEM TAYEH, d/b/a TOOLS; AZMI T.) AND DISPOSITION
15 TAYEH; TAGHREED TAYEH,)
16 Defendants.)

17 On December 31, 2008, Plaintiff filed a Notice of
18 Settlement in which he states "the parties have settled this
19 action. Disposition documents will be filed within (20) calendar
20 days." Therefore, a dispositional document shall be filed no later
21 than January 20, 2009. Failure to respond by this deadline may be
22 construed as consent to dismissal of this action without prejudice,
23 and a dismissal order could be filed. See L.R. 16-160(b) ("A
24 failure to file dispositional papers on the date prescribed by the
25 Court may be grounds for sanctions.").

26 The status conference schedule for March 30, 2009, will
27 remain on calendar, in the event no dispositional document is
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1 filed. Further, a joint status report shall be filed fourteen days
2 prior to the status conference.¹

3 Dated: January 8, 2009

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6 GARLAND E. BURRILL, JR.
7 United States District Judge
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25 _____
26 ¹ 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).