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5 IN THE UNITED STATES DISTRICT COURT
6 FOR THE EASTERN DISTRICT OF CALIFORNIA
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8 SCOTT N. JOHNSON,)
9 Plaintiff,) 2:09-cv-01376-GEB-DAD
10 v.) ORDER RE: SETTLEMENT AND
11 TATYANA VARTANOVA; EDWARD D.) DISPOSITION
12 JENNINGS; STEVE TRISTANT;)
13 OLGA PIKALOVA DDS, INC.;)
14 PLATINUM GROUP OF INVESTMENTS,)
15 LLC; RANJEET GILL,)
16 Defendants.)
17 _____)

18 Plaintiff filed a "Notice of Settlement" on April 18, 2011, in
19 which he states, "the parties have settled this action[, and
20 d]ispositional documents will be filed within (30) calendar days." (ECF
21 No. 35.)

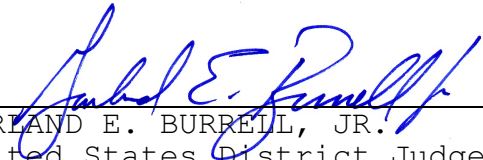
22 Therefore, a dispositional document shall be filed no later
23 than May 18, 2011. Failure to respond by this deadline may be construed
24 as consent to dismissal of this action without prejudice, and a
25 dismissal order could be filed. See E.D. Cal. R. 160(b) ("A failure to
26 file dispositional papers on the date prescribed by the Court may be
27 grounds for sanctions.").

28 Further, the final pretrial conference scheduled for April 25,
2011, is continued to commence at 1:30 p.m. on June 13, 2011, in the
event no dispositional document is filed, or if this action is not

1 otherwise dismissed.¹ A joint pretrial statement shall be filed seven
2 (7) days prior to the final pretrial conference.

3 IT IS SO ORDERED.

4 Dated: April 21, 2011

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8 GARLAND E. BURRELL, JR.
9 United States District Judge
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25 _____
26 ¹ The final pretrial conference will remain on calendar, because
27 the mere representation that a case has been settled does not justify
28 vacating a scheduling proceeding. 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).