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

RONALD WILKINSON,	)	
	)	2:09-cv-03386-GEB-KJM
Plaintiff,	)	
	)	
v.	)	<u>ORDER RE: SETTLEMENT AND</u>
	)	<u>DISPOSITION</u>
M. CALLAGHAN & ASSOCIATES, LLC,	)	
	)	
Defendant.	)	
_____	)	

Plaintiff filed a "Notice of Settlement" on October 12, 2010, in which he states, "a settlement of the present matter has been reached . . . which Plaintiff anticipates will be finalized within the next 45 days." (ECF No. 26.)

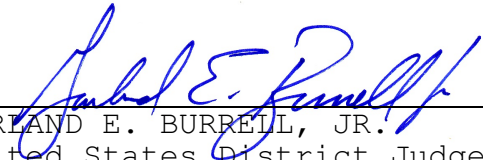
Therefore, a dispositional document shall be filed no later than November 26, 2010. Failure to respond by this deadline may be construed as consent to dismissal of this action without prejudice, and a dismissal order could be filed. See L.R. 160(b) ("A failure to file dispositional papers on the date prescribed by the Court may be grounds for sanctions.").

The Status Conference scheduled for November 1, 2010, is continued to commence at 9:00 a.m. on December 13, 2010, in the event no dispositional document is filed, or if this action is not otherwise

1 dismissed.<sup>1</sup> Further, a joint status report shall be filed fourteen (14)  
2 days prior to the status conference.

3 IT IS SO ORDERED.

4 Dated: October 13, 2010

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8 GARLAND E. BURRELL, JR.  
9 United States District Judge  
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25 \_\_\_\_\_  
26 <sup>1</sup> The status conference will remain on calendar, because the  
27 mere representation that a case has been settled does not justify  
28 discontinuance of calendaring 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).