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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,)
12 Plaintiff,) 2:09-cv-03521-GEB-JFM
13 v.) ORDER RE: SETTLEMENT
14) AND DISPOSITION
15 JOHN EVILSIZOR; MARY EVILSIZOR;)
16 KENNETH EVILSIZOR,)
17 Defendants.)

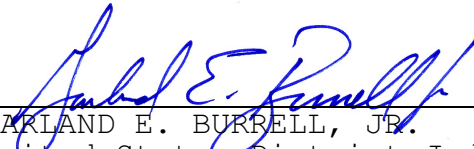
18 On March 26, 2010, Plaintiff filed a Notice of Settlement
19 in which he states "the parties have settled this action" and that
20 "[d]ispositional documents will be filed within (30) calendar days."
21 Therefore, a dispositional document shall be filed no later than
22 April 26, 2010. Failure to respond by this deadline may be construed
23 as consent to dismissal of this action without prejudice, and a
24 dismissal order could be filed. See L.R. 160(b) ("A failure to file
25 dispositional papers on the date prescribed by the Court may be
26 grounds for sanctions.").

27 The status conference scheduled for April 12, 2010, is
28 continued to commence at 9:00 a.m. on June 14, 2010, in the event

1 that no dispositional document is filed, or if this action is not
2 otherwise dismissed. Further, a joint status report shall be filed
3 fourteen days prior to the status conference.¹

4 IT IS SO ORDERED.

5 Dated: April 7, 2010

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9 GARLAND E. BURBELL, JR.
10 United States District Judge
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26 ¹ The status conference will remain on calendar, because
27 the mere representation that a case has been settled does not
28 justify 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).