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

UNITED STATES OF AMERICA,)	
)	2:10-cv-00520-GEB-DAD
Plaintiff,)	
)	
v.)	<u>ORDER RE: SETTLEMENT AND</u>
)	<u>DISPOSITION</u>
APPROXIMATELY \$7,081.00 IN U.S.)	
CURRENCY,)	
)	
2006 HONDA CRF450R MOTORCYCLE,)	
VIN: JH2PE05336M413204,)	
CALIFORNIA LICENSE NUMBER:)	
83C47Y,)	
)	
2004 HONDA CRF250X MOTORCYCLE,)	
VIN: JH2ME11184K000863,)	
CALIFORNIA LICENSE NUMBER:)	
Z26N82,)	
)	
2006 YAMAHA TT-R230 MOTORCYCLE,)	
VIN: 9C6CG19Y560013660,)	
CALIFORNIA LICENSE NUMBER:)	
14E21L, and)	
)	
1984 CASE 580E BACKHOE WITH)	
SCRAPER BUCKET, VIN: 17033151.)	
)	
Defendant.)	
_____)	

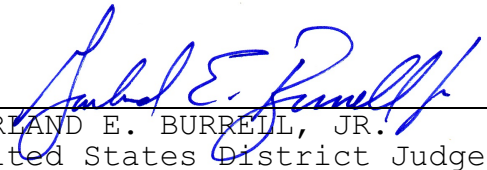
Plaintiff filed a "Notice of Settlement" on February 8, 2012, in which it states, "the parties to the above-referenced civil action have reached a settlement[, and t]he dispositional papers will be filed with the Court within twenty-one days, in accordance with E.D. Cal. R. 160(b)." (ECF No. 27.)

1 Therefore, a dispositional document shall be filed no later
2 than February 29, 2012. Failure to respond by this deadline may be
3 construed as consent to dismissal of this action without prejudice, and
4 a dismissal order could be filed. See E.D. Cal. R. 160(b) ("A failure to
5 file dispositional papers on the date prescribed by the Court may be
6 grounds for sanctions.").

7 Further, the Status Conference scheduled for hearing on
8 February 27, 2012, is continued to commence at 9:00 a.m. on April 9,
9 2012, in the event no dispositional document is filed, or if this action
10 is not otherwise dismissed.¹ A joint status report shall be filed
11 fourteen (14) days prior to the Status Conference.

12 IT IS SO ORDERED.

13 Dated: February 8, 2012

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16 _____
GARLAND E. BURRELL, JR.
United States District Judge

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26 ¹ The Status Conference will remain on calendar, because the
27 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).