S) Grill v. (Quinn
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8	IN THE UNITED STATES DISTRICT COURT
9	FOR THE EASTERN DISTRICT OF CALIFORNIA
10	JAMES S. GRILL,
11	Plaintiff, No. CIV S-10-0757 GEB GGH PS
12	VS.
13	TOM QUINN,
14	Defendant. <u>ORDER</u>
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16	Plaintiff has filed a request to reset previously vacated dates for briefing the
17	parties' cross-motions for summary judgment. Those dates were vacated by order of February
18	27, 2012, pending a settlement conference scheduled for April 26, 2012, with Judge Brennan.
19	The parties participated in a settlement conference on May 10, 2012, and a further settlement
20	conference is scheduled for September 20, 2012. Plaintiff has expressed his concern that his
21	state court foreclosure action may result in foreclosure of the property that is the subject of this
22	litigation before the settlement conference in this litigation can be concluded. According to
23	plaintiff, the next status conference in superior court is scheduled for August 20, 2012, wherein
24	plaintiff anticipates a trial date will be set.
25	Plaintiff's request is denied for the following reasons. Even if the superior court
26	were to set a trial date in the foreclosure action on August 20, 2012, due to the impacted calendar

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of superior court, it is not likely that a trial would be set within a month or even a few months of that status conference date. If the settlement conference currently scheduled for September 20, 2012 fails to result in a settlement, this court will expeditiously set a briefing schedule for summary judgment motions. In any event, it is not likely that this case will terminate quickly (other than through settlement) since this court may only issue findings and recommendations to the district court, which may then take months to adopt or decline to adopt. After a district court judgment, the losing party may appeal the judgment, which appeal may take months or years. Accordingly, IT IS HEREBY ORDERED that: Plaintiff's request to reset previously vacated dates, filed June 8, 2012, (dkt. no. 60), is denied. DATED: July 16, 2012 /s/ Gregory G. Hollows UNITED STATES MAGISTRATE JUDGE GGH:076/Grill0757.sch.wpd