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

SHERIE WHITE,

Plaintiff,

NO. CIV. S-10-2642 KJM-GGH

v.

BED BATH & BEYOND OF CALIFORNIA,  
LLC.; et al.,

ORDER

Defendants.

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This matter comes before the court upon defendants' request that the court issue an order to show cause for plaintiff's alleged failure to comply with the court's April 29, 2011 order.<sup>1</sup> (ECF 21.) Defendants are under the impression that plaintiff is under a court order to file a notice of settlement due to the following language in the court's April 29 order: "At the April 27 scheduling conference, the parties informed the court that plaintiff and Speno have agreed to a settlement; a notice of settlement is due by May 4, 2011." Such an order can only extend to situations in which a settlement has actually been agreed to. While recognizing that it is not within the court's authority to force a party to settle, regardless of the late stage at which a party decides to reject a negotiated settlement agreement, the court also notes that plaintiff has

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<sup>1</sup> This order is mistakenly referred to by defendants as the April 27, 2011 order. (See ECF 17.)

1 not provided any explanation for the parties' missing the May 4th deadline. While the  
2 defendant's request is denied, plaintiff shall file a letter brief not exceeding two pages setting  
3 forth its position with respect to settlement with defendant Speno, taking into account plaintiff's  
4 counsel's representations to the court at the April 27, 2011 status conference; plaintiff's letter  
5 brief shall be filed within fourteen days.

6 IT IS SO ORDERED.

7 DATED: June 10, 2011.

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10 UNITED STATES DISTRICT JUDGE  
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