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

UNIVERSAL CASUALTY COMPANY,	)	
	)	2:11-cv-00354-GEB-EFB
Plaintiff,	)	
	)	
v.	)	<u>ORDER RE: SETTLEMENT AND</u>
	)	<u>DISPOSITION</u>
A & H EXPRESS, INC., AMANDEEP	)	
SANDU, AJMER SINGH, JACKIE	)	
FLETCHER, CLAYTON BAKER, ROBERT	)	
NEWCOMER, DENENE DELGADO,	)	
MICHAEL IRION, MARVIN JOHN	)	
VANDERSLOOT, ESTATE OF CLAY	)	
NEWCOMER, ESTATE OF DOTSIE	)	
IRION, PROGRESSIVE INSURANCE	)	
COMPANY, NATIONWIDE INSURANCE	)	
COMPANY, 21st CENTURY INSURANCE	)	
COMPANY,	)	
	)	
Defendant.	)	
	)	
	)	
	)	

Plaintiff filed a "Notice of Settlement" on July 5, 2011, in which it states, "the parties reached a global settlement as between UCC, A & H Express, Amandeep Sahndu, and Ahmer Singh and the remaining defendants and potential claimants[.]" (ECF No. 25, 1:25-2:2.) Plaintiff requests "the Court schedule an order to show cause hearing regarding settlement for approximately 45 days to allow time for the parties to complete the settlement." Id. at 2:16-3:2.

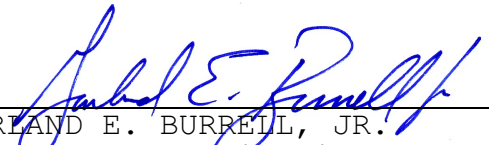
Therefore, a dispositional document shall be filed no later than August 19, 2011. Failure to respond by this deadline may be construed as consent to dismissal of this action without prejudice, and

1 a dismissal order could be filed. See E.D. Cal. R. 160(b) ("A failure  
2 to file dispositional papers on the date prescribed by the Court may be  
3 grounds for sanctions.").

4 Further, the Status Conference scheduled for hearing on  
5 September 19, 2011 will remain on calendar in the event no dispositional  
6 document is filed, or if this action is not otherwise dismissed.<sup>1</sup> A  
7 joint status report shall be filed fourteen (14) days prior to the  
8 status conference, in which the parties shall address why the "paternity  
9 dispute" portion of their settlement agreement should not be resolved in  
10 state court.

11 IT IS SO ORDERED.

12 Dated: August 2, 2011

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16 GARLAND E. BURRELL, JR.  
17 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 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).