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

Scott N. Johnson,)	
)	2:11-cv-00628-GEB-DAD
Plaintiff,)	
)	
v.)	<u>ORDER RE: SETTLEMENT AND</u>
)	<u>DISPOSITION</u>
Brittany Arms, LLC,)	
)	
Defendant.)	
_____)	

Plaintiff filed a "Notice of Settlement" on June 13, 2011, in which he states: "the parties have settled this action[, and d]ispositional documents will be filed within (30) calendar days." (ECF No. 8.)

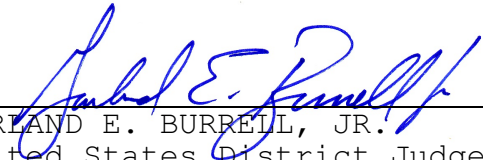
Therefore, a dispositional document shall be filed no later than July 13, 2011. Failure to respond by this deadline may be construed as consent to dismissal of this action without prejudice, and a dismissal order could be filed. See E.D. Cal. R. 160(b) ("A failure to file dispositional papers on the date prescribed by the Court may be grounds for sanctions.").

Further, the Status Conference scheduled for hearing on June 27, 2011, is continued to commence at 9:00 a.m. on August 29, 2011, in the event no dispositional document is filed, or if this action is not

1 otherwise dismissed.¹ A joint status report shall be filed fourteen (14)
2 days prior to the status conference.

3 IT IS SO ORDERED.

4 Dated: June 17, 2011

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6 
7 GARLAND E. BURRELL, JR.
8 United States District Judge
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25 _____
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).