

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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

SCOTT N. JOHNSON,)	
)	2:11-cv-01871-GEB-JFM
Plaintiff,)	
)	
v.)	<u>ORDER RE: SETTLEMENT AND</u>
)	<u>DISPOSITION</u>
FARHAN, INC., Individually and)	
d/b/a California Tires &)	
Wheels; NAZIR AHMAD,)	
Individually and as Trustee of)	
The Nazir Family Living Trust,)	
UTD May 17, 2005; MEHMOODA)	
AHMAD, Individually and as)	
Trustee of The Nazir Family)	
Living Trust, UTD May 17, 2005,)	
)	
Defendants.)	
)	

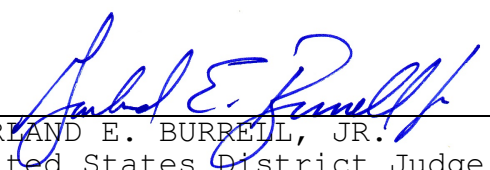
Plaintiff filed a "Joint Notice of Settlement" on November 10, 2011, in which he states, "the parties have settled this action[, and d]ispositional documents will be filed within (60) calendar days." (ECF No. 10.)

Therefore, a dispositional document shall be filed no later than January 9, 2012. 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.").

1 Further, the Status Conference scheduled for hearing on
2 December 12, 2012, is continued to February 13, 2012, commencing at 9:00
3 a.m., in the event no dispositional document is filed, or if this action
4 is not otherwise dismissed.¹ A joint status report shall be filed
5 fourteen (14) days prior to the Status Conference.

6 IT IS SO ORDERED.

7 Dated: November 14, 2011

8
9 
10 _____
11 GARLAND E. BURRELL, JR.
12 United States District Judge
13
14
15
16
17
18
19
20
21
22
23
24

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).