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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

SCOTT N. JOHNSON,  
Plaintiff,  
v.  
NAGEB ABDO ALGAZALI, doing  
business as SHEBA LIQUORS, et al.,  
Defendants.

No. 2:11-cv-02472 KJN

ORDER

On May 22, 2013, the parties informed the court that they had settled this case.<sup>1</sup> (ECF No. 31.) Thereafter, the undersigned ordered all dispositional documents to be filed by July 5, 2013. (ECF No. 32.)

On July 3, 2013, however, plaintiff’s counsel filed a request for an extension to file dispositional documents on or before August 2, 2013, “due to the fact that Plaintiff and Defendants are still in the process of finalizing a settlement agreement.” (ECF No. 33.)

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<sup>1</sup> This matter proceeds before the undersigned as a result of the parties’ voluntary consent to the jurisdiction of the undersigned for all proceedings in this case, including trial and entry of final judgment, and an order entered December 6, 2011 (ECF No. 9). See 28 U.S.C. § 636(c)(1); Fed. R. Civ. P. 73; E.D. Cal. L.R. 301, 305.

1 Based upon counsel's representation (id.) and the fact that no similar request for an  
2 extension has previously been filed with respect to the parties' dispositional documents, the  
3 undersigned ordered the parties to file dispositional documents no later than August 2, 2013.  
4 (ECF No. 43.) On August 16, 2013, the undersigned ordered the parties to show cause in writing  
5 why they should not be sanctioned and ordered the filing of dispositional documents. (ECF No.  
6 35.)


7 On August 22, 2013, plaintiff filed a signed "Stipulated Dismissal Without Prejudice."  
8 (ECF No. 36) and plaintiff's written response to the order to show cause (ECF No. 37).

9 Accordingly, IT IS HEREBY ORDERED THAT:

- 10 1. This action is hereby dismissed pursuant to Federal Rule of Civil Procedure 41  
11 (a)(1)(ii).
- 12 2. The Order to Show Cause (ECF No. 35) is hereby discharged as to plaintiff.
- 13 3. The Clerk of the Court is directed to close this case and vacate all dates.

14 IT IS SO ORDERED.

15 Dated: August 30, 2013

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18 KENDALL J. NEWMAN  
19 UNITED STATES MAGISTRATE JUDGE  
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