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

LLOYD LAMB,)	
)	2:11-cv-02473-GEB-CKD
Plaintiff,)	
)	
v.)	<u>ORDER RE: SETTLEMENT AND</u>
)	<u>DISPOSITION</u>
VERICREST FINANCIAL, INC.; and)	
DOES 1-10, inclusive,)	
)	
Defendant.)	
_____)	

Plaintiff filed a "Notice of Settlement" on November 10, 2011, in which he states, "the parties . . . have reached a settlement[, and t]he Plaintiff anticipates filing a notice of withdrawal of Complaint and voluntary dismissal of this action . . . within 60 days." (ECF No. 6.)

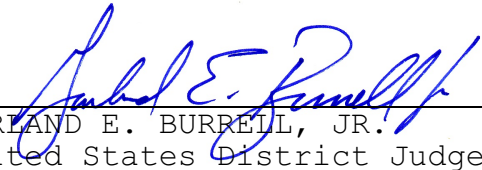
Therefore, a dispositional document shall be filed no later than January 9, 2012. Failure to respond by this deadline may be construed as consent to dismissal of this action without prejudice, and a dismissal order could be filed. See E.D. Cal. R. 160(b) ("A failure to file dispositional papers on the date prescribed by the Court may be grounds for sanctions.").

Further, the Status Conference scheduled for hearing on December 12, 2011, is continued to February 13, 2012, commencing at 9:00 a.m., in the event no dispositional document is filed, or if this action

1 is not otherwise dismissed.¹ A joint status report shall be filed
2 fourteen (14) days prior to the Status Conference.

3 IT IS SO ORDERED.

4 Dated: November 14, 2011

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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).