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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

SHERMAN D. MANNING,  
  
Plaintiff,  
  
v.  
  
CALIFORNIA DEPARTMENT OF  
CORRECTIONS AND  
REHABILITATION, et al.,  
  
Defendants.

No. 2:12-cv-2440 MCE AC P

ORDER


The parties entered a settlement agreement in this case on October 19, 2015 (ECF No. 316), and this action was closed on December 15, 2015, pursuant to the parties' stipulation (ECF No. 328). Plaintiff has now filed three motions to enforce the settlement agreement in which he claims that he has not received the agreed upon funds. ECF Nos. 330, 331, 332. Under the terms of the agreement entered into by the parties, defendants have 180 days from the date the settlement agreement is signed to make the agreed upon funds available to plaintiff. ECF No. 325-2 at 26-27 (transcript at 4:15-5:6). Although defendants agreed to do their best to get plaintiff the funds before his projected parole date of February 14, 2016, it was explained to plaintiff that this could not be guaranteed and that if he did not have the funds by that date it was not grounds to terminate the settlement agreement. Id. at 25-26 (transcript 3:23-4:15).

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1 Plaintiff signed the settlement agreement on November 13, 2015. ECF No. 325-2 at 39.  
2 Defendants therefore have until May 11, 2016, to make the agreed upon funds available to  
3 plaintiff. Although the defendants were ordered to comply with the terms of the settlement  
4 “forthwith,” that order is simply a directive to proceed without delay in taking the steps necessary  
5 to comply with the agreement, it does not modify the 180 day period defendants are afforded  
6 under the settlement agreement to make payment. The court will not entertain any motions from  
7 plaintiff regarding the timeliness of the payment of funds unless and until defendants exceed their  
8 time to provide the funds to plaintiff.

9 Accordingly, IT IS HEREBY ORDERED that plaintiff’s motions to enforce the  
10 settlement agreement (ECF Nos. 330, 331, 332) are denied. Any further motions to enforce the  
11 settlement agreement that are filed prior to May 11, 2016 will be disregarded without further  
12 order.

13 DATED: February 2, 2016

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15 ALLISON CLAIRE  
16 UNITED STATES MAGISTRATE JUDGE  
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