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

AMERICAN FURNITURE WAREHOUSE	)	
CORPORATION dba AMERICAN	)	2:12-cv-02911-GEB-EFB
FURNITURE GALLERIES,	)	
	)	
Plaintiff,	)	<u>ORDER RE: SETTLEMENT AND</u>
	)	<u>DISPOSITION</u>
v.	)	
	)	
AMERICAN FURNITURE GALLERY,	)	
ALAN TRAN, KEVIN TRAN, and DOES	)	
1 through 20, inclusive,	)	
	)	
Defendants.	)	
_____	)	

Plaintiff filed a "Notice of Settlement of the Entire Action" on July 26, 2013, in which it states: "the case has been settled. A formal settlement agreement will be circulated between the parties for review and approval. Once all of the appropriate signatures have been obtained, Plaintiff will file a Notice of Voluntary Dismissal of the entire action." (ECF No. 41.)

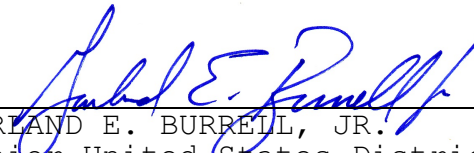
Therefore, a dispositional document shall be filed no later than August 16, 2013. See E.D. Cal. R. 160(b) (requiring dispositional documents be filed within twenty-one days from the date of notification of settlement "absent good cause"). Failure to respond by this deadline may be construed as consent to dismissal of this action without prejudice, and a dismissal order could be filed. See id. ("A failure to

1 file dispositional papers on the date prescribed by the Court may be  
2 grounds for sanctions.”).

3 Further, the Status Conference scheduled for hearing on  
4 September 30, 2013, will remain on calendar in the event no  
5 dispositional document is filed, or if this action is not otherwise  
6 dismissed.<sup>1</sup> A joint status report shall be filed fourteen (14) days  
7 prior to the status conference.

8 IT IS SO ORDERED.

9 Dated: July 29, 2013

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13 GARIAND E. BURRELL, JR.  
14 Senior United States District Judge  
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25 \_\_\_\_\_  
26 <sup>1</sup> 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).