1		
2		
3		
4	UNITED STATES DISTRICT COURT	
5	EASTERN DISTRICT OF CALIFORNIA	
6		
7 8	DEVRA SELENIS, an individual; and TERENCE TODD, an individual;	No. 2:13-cv-02576-GEB-KJN
9	Plaintiffs,	ORDER RE: SETTLEMENT AND
10	V.	DISPOSITION
11	CITY OF CITRUS HEIGHTS, and OFFICER RYAN SMITH,	
12	Defendants.*	
13	Defendants.	
14		
15	Plaintiffs filed a "Notice of Settlement" on April 28,	
16	2015, in which they state:	
17	[A] settlement of the entire action against all parties has been reached in this matter. The parties are preparing settlement documents, which will be exchanged and executed in the near future. The parties anticipate filing a stipulation to dismiss the case within sixty (60) days following execution of settlement documents.	
18		
19		
20		
21		
22	(Notice of Settlement, ECF No. 14.)	
23	Accordingly, a dispositional document shall be filed no	
24	later than June 29, 2015. Failure to respond by this deadline may	
25	be construed as consent to dismissal of this action without	
26	prejudice, and a dismissal order could be filed. <u>See</u> E.D. Cal. R.	
27 28	* The caption has been amended according to the automatic dismissal of Doe Defendants prescribed in the February 27, 2014 Status Order. (Status Order	

^{28 2:5-7,} ECF No. 7.)

160(b) ("A failure to file dispositional papers on the date prescribed by the Court may be grounds for sanctions.").

Further, the final pretrial conference scheduled for hearing on May 11, 2015, is continued to commence at 1:30 p.m. on July 13, 2015, in the event no dispositional document is filed, or if this action is not otherwise dismissed. A joint pretrial statement shall be filed seven (7) days prior to the final pretrial conference.

Senior United States District Judge

IT IS SO ORDERED.

Dated: April 28, 2015

The final pretrial conference will remain on calendar, because the mere representation that a case has been settled does not justify 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).