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4	UNITED STATES DISTRICT COURT	
5	EASTERN DISTRICT OF CALIFORNIA	
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7	CALIFORNIA SPORTFISHING PROTECTION ALLIANCE, a non-	No. 2:14-cv-02340-GEB-CKD
8	profit corporation,	
9	Plaintiff,	ORDER RE: SETTLEMENT AND DISPOSITION
10	ν.	
11	HANSON PIPE & PRECAST LLC, a Texas Limited Liability	
12	Company,	
13	Defendant.	
14		
15	Plaintiff filed a "Notice of Settlement" on January 9,	
16	2015, in which it states:	
17	[The parties] have reached settlement of all claims in the action and have prepared a	
18	Settlement Agreement, which has been circulated for signatures. The Parties	
19 20	anticipate that the Settlement Agreement will be fully executed no later than January 30,	
20	2015. The fully executed Settlement Agreement will be subsequently sent to the United	
22	States Department of Justice and the national and Region IX offices of the United States	
23	Environmental Protection Agency (collectively, the "Federal Agencies") for a	
24	forty-five (45) day review period consistent with 40 C.F.R. §135.5; provided no objection	
25	by the Federal Agencies, the Parties expect to file a stipulated dismissal of Plaintiff's Complaint with prejudice.	
26	PLEASE TAKE FURTHER NOTICE that the Federal	
27	Agencies' review period is expected to close on or about March 16, 2015; if any of the	
28	reviewing Federal Agencies object to the	
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proposed agreement, the parties would require additional time to meet and confer and attempt to resolve the Federal Agencies' concerns. Consequently, the parties submit that good cause exists to vacate any and all existing deadlines and obligations in this case, and to set March 30, 2015, as the deadline for the filing of a Stipulation for of Settlement Agreement Approval and Dismissal of Plaintiffs Claims with Prejudice and [Proposed] Order.

7 (Notice of Settlement, ECF No. 4.)

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8 Therefore, a dispositional document shall be filed no 9 later than March 30, 2015. Failure to respond by this deadline 10 may be construed as consent to dismissal of this action without 11 prejudice, and a dismissal order could be filed. <u>See</u> E.D. Cal. 12 R. 160(b) ("A failure to file dispositional papers on the date 13 prescribed by the Court may be grounds for sanctions.").

Further, the Status Conference scheduled for hearing on January 26, 2015, is continued to commence at 9:00 a.m. on May 4, 2015, in the event no dispositional document is filed, or if this action is not otherwise dismissed.<sup>1</sup> A joint status report shall be filed fourteen (14) days prior to the status conference.

IT IS SO ORDERED.

20 Dated: January 13, 2015

GARIAND E. BURRELL, JR. Senior United States District Judge

26 The status conference will remain on calendar, because the mere representation that a case has been settled does not justify vacating a 27 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 28 necessarily establish the existence of a binding settlement agreement).