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United States District Court

For the Northern District of California

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

GAIL TABACK; EUGENE TABACK,

No. C 05-4057 MEJ

Plaintiff(s),

vs.

**ORDER DIRECTING PARTIES TO FILE
CONSENT/DECLINATION FORM**

ALL STATE INSURANCE COMPANY; FRED
HECKENDORN, et al.,

Defendant(s).

Pending before the Court is Defendants' Motion to Dismiss, filed on October 17, 2005. Upon review of the record in this action, the Court notes that the parties have not filed written consents to Magistrate Judge James' jurisdiction or requests for reassignment to a United States District Court judge for trial. This civil case was randomly assigned to United States Magistrate Judge Maria-Elena James for all purposes including trial. In accordance with Title 28, U.S.C. § 636(c), the Magistrate Judges of this District Court are designated to conduct any and all proceedings in a civil case, including a jury or non-jury trial, and to order the entry of final judgment, upon the consent of the parties. An appeal from a judgment entered by Magistrate Judge James may be taken directly to the United States Court of Appeals for the Ninth Circuit in the same manner as an appeal from any other judgment of a district court.

1 You have the right to have your case assigned to a United States District Judge for trial and
2 disposition. Accordingly, the parties shall inform the Court whether they consent to Magistrate
3 Judge James' jurisdiction or request reassignment to a United States District Judge for trial. A copy
4 of both the consent and declination forms may be obtained from the Northern District of California's
5 website at <http://www.cand.uscourts.gov/>. From the homepage, click on the "Forms" tab on the left
6 margin, then choose "Civil." The parties shall inform the Court as soon as possible, but no later than
7 November 10, 2005.

8 **IT IS SO ORDERED.**

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10 Dated: October 18, 2005



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12 MARIA-ELENA JAMES
13 United States Magistrate Judge
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United States District Court

For the Northern District of California