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

RIVERPORT INSURANCE COMPANY, a No C 08-3883 VRW Minnesota corporation, ORDER

Plaintiff,

v

OAKLAND COMMUNITY HOUSING, INC, a California corporation; CAHON ASSOCIATES, a California limited partnership; THE JOHN STEWART COMPANY, a California corporation; CHARLES FOWLKES, an individual; GREG HYSON, an individual; and LOREN SANBORN, an individual,

Defendants

On December 7, 2009, the defendant-intervenors moved to enter judgment pursuant to a settlement agreement. Doc #164.

Because the defendant-intervenors apparently sought to enforce the settlement agreement negotiated by the parties before Judge Spero, the court set a hearing on the matter for February 4, 2010.

On January 14, 2010, plaintiff Riverport Insurance Company ("Riverport") filed its opposition to defendant-

intervenors' motion, representing that the motion became moot when the settlement was finalized and paid in full on January 11, 2010. Doc #177 at 2. Defendant-intervenors have neither contested Riverport's representation nor withdrawn the instant motion.

Because Riverport has represented to the court that the settlement has been paid in full, defendant-intervenors are ORDERED to SHOW CAUSE in writing on or before February 12, 2010 why their motion to enforce the settlement should not be denied as moot. Failure to respond to this order shall be deemed grounds to deny the motion. The hearing scheduled for February 4, 2010 is VACATED.

IT IS SO ORDERED.

VAUGHN R WALKER

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United States District Chief Judge