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United States District Court
For the Northern District of California

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Northern California Glaziers Architectural
Metal and Glass Workers Pension Plan et
al v. America's Glass Center, Inc. et al,

No. C 08-5451 JL

Plaintiffs,

**ORDER VACATING JUDGMENT AND
REFERRING CASE FOR
REASSIGNMENT**

v.

America's Glass Center, Inc., et al.,

Defendants.

The Court entered Judgment for Plaintiffs in this case, under the mistaken impression that Defendants had stipulated to entry of judgment, pursuant to a settlement agreement between the parties. The parties had agreed to a payment plan and from Plaintiffs' recitation, it appears Defendants failed to make the initial payment as provided in the stipulated settlement.

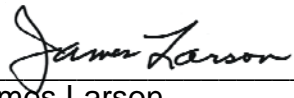
Although the parties had entered into a settlement agreement, and Plaintiffs requested that the Court enter Judgment pursuant to settlement, Defendants had not stipulated to the entry of judgment. Nor had Defendants consented to the jurisdiction of this Court, pursuant to 28 U.S.C. §636(c).

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Accordingly, this Court hereby vacates the Judgment entered on January 20, 2009,
at Docket Number 7, stays the writ of execution issued January 21, 2009 at Docket Number
8, and refers the case for reassignment to a district court judge for resolution,

IT IS SO ORDERED.

DATED: January 28, 2009



James Larson
Chief Magistrate Judge