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

PETER C. LEE,

No. C 09-06033 WHA

Plaintiff,

v.

**ORDER GRANTING
CONTINUANCE**

PORT OF OAKLAND and CITY OF
OAKLAND,

Defendant.

A jury trial is set to begin on March 28. On February 14, the parties requested a continuance of the trial and pretrial conference dates on the grounds that “[t]he case has been settled.” Because no evidence of settlement was provided, the request was denied without prejudice to renewal “after the parties attempt to make a more convincing showing that such a continuance is warranted.” (Dkt. No. 38).

On February 16, plaintiff filed a notice of dismissal as to defendant Port of Oakland, leaving City of Oakland as the only remaining defendant. On March 2, the parties renewed their request for a continuance (Dkt. No. 41). The parties concurrently filed a copy of a settlement agreement between plaintiff and defendant City of Oakland that was executed by plaintiff on February 27 and is contingent on approval by the Oakland City Council. The parties represent that this agreement will be reviewed by the Oakland City Council on March 15.

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Pre-trial filings currently are due on March 14. The final pre-trial conference is set for March 21, and a jury trial is set to begin on March 28. Good cause appearing, each of these dates us **CONTINUED** by two weeks.

IT IS SO ORDERED.

Dated: March 3, 2011.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE