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United States District Court
For the Northern District of California

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DONALD GOLDEN, M.D.,
Plaintiff(s),
v.
CALIFORNIA EMERGENCY PHYSICIANS
MEDICAL GROUP,
Defendant(s).

No. C-10-00437 JSW (DMR)
ORDER

Currently pending before this Court is the question of the enforceability of a settlement agreement, the terms of which were set forth in open court on March 22, 2011. [Docket No. 33]. Defendants seek an order compelling Plaintiff to sign a written settlement agreement that Defendants contend is consistent with the oral agreement announced in open court. [Docket No. 38]. The Court now orders Defendants to file the proposed written settlement agreement with the Court **no later than June 8, 2011**. Since the terms of the settlement are confidential, Defendants shall file the agreement under seal. Defendants are also ordered to serve the agreement directly on Plaintiff Donald Golden, as well as plaintiff's counsel, Mitchell Green.

On May 16, 2011, this Court ordered that Plaintiff serve a complete set of his papers arguing against enforcement of the settlement that Plaintiff had hand-delivered to the Court on May 13, 2011. [Docket No. 40]. The Court is now in receipt of a June 1, 2011 letter from defense counsel

1 Mark Delgado stating that, despite the May 16, 2011 Order, Plaintiff has yet to serve his materials
2 on Defendants. **Plaintiff Golden is hereby ordered to serve the materials on Defendants**
3 **immediately. The materials shall be served by mail on Mark Delgado, Esq., Fitzgerald Abbott**
4 **& Beardsley, LLP, 1221 Broadway, 21st Floor, Oakland, CA 94612, and shall be postmarked**
5 **no later than June 10, 2011. Plaintiff must file a proof of service with the court. Failure to**
6 **comply with this Order may result in sanctions.**

7
8 IT IS SO ORDERED.

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10 Dated: June 6, 2011

