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

ELLIOT ZEISEL,

No. C 10-01192 JSW

Plaintiff,

**ORDER VACATING CASE  
MANAGEMENT CONFERENCE  
AND SETTING PLACEHOLDER  
HEARING ON MOTION FOR  
PRELIMINARY APPROVAL OF  
SETTLEMENT**

v.

DIAMOND FOODS, INC.,

Defendant.

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This matter is scheduled for a case management conference on December 9, 2011. The Court has reviewed the parties' Joint Case Management Conference Statement, and the Court VACATES the case management conference. The Court is not available for a hearing on a motion for preliminary approval of settlement prior to January 2, 2012. Accordingly, the Court HEREBY ORDERS that the Court shall set a placeholder hearing of February 3, 2012 to hear such a motion, so long as the parties file the motion within the period required by the Northern District Civil Local Rules, that is by December 30, 2011. If the motion is not on file by December 30, 2011, the parties must notice the motion for hearing on the next available open date.

**IT IS SO ORDERED.**

Dated: December 6, 2011

  
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JEFFREY S. WHITE  
UNITED STATES DISTRICT JUDGE

United States District Court  
For the Northern District of California