

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES DISTRICT COURT  
Northern District of California

JONATHAN D. COBB, SR., et al.,

Plaintiffs,

v.

ERNEST BREDE, et al.,

Defendants.

No. C 10-03907 MEJ

**ORDER DIRECTING PLAINTIFFS  
TO FILE CONSENT/DECLINATION  
FORM**

Pending before the Court is Defendants' motion to dismiss. Upon review of the record in this action, the Court notes that Plaintiffs have not filed a written consent to Magistrate Judge James' jurisdiction. This civil case was randomly assigned to Magistrate Judge James for all purposes including trial. In accordance with 28 U.S.C. § 636(c), the magistrate judges of this district court are designated to conduct any and all proceedings in a civil case, including trial and entry of final judgment, upon the consent of the parties. An appeal from a judgment entered by Magistrate Judge James may be taken directly to the United States Court of Appeals for the Ninth Circuit in the same manner as an appeal from any other judgment of a district court.

You have the right to have your case assigned to a United States District Judge for trial and disposition. Accordingly, Plaintiffs shall inform the Court, by way of the enclosed form, whether they consent to Magistrate Judge James' jurisdiction or requests reassignment to a United States District Judge for trial. The consent/declination form shall be filed by October 28, 2010.

**IT IS SO ORDERED.**

Dated: October 4, 2010

  
\_\_\_\_\_  
Maria-Elena Jones  
Chief United States Magistrate Judge

UNITED STATES DISTRICT COURT  
For the Northern District of California

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

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

JONATHAN D. COBB, SR., et al.,  
Plaintiffs,

No. C 10-03907 MEJ

vs.  
ERNEST BREDE, et al.,  
Defendants.

**CONSENT TO PROCEED BEFORE A UNITED STATES MAGISTRATE JUDGE**

In accordance with the provisions of 28 U.S.C. § 636(c), the undersigned party hereby consents to have a United States Magistrate Judge conduct any and all further proceedings in this case, including trial, and order the entry of final judgment, and voluntarily waives the right to proceed before a United States District Judge.

Dated: \_\_\_\_\_

Signed by: \_\_\_\_\_

Counsel for: \_\_\_\_\_

**REQUEST FOR REASSIGNMENT TO A UNITED STATES DISTRICT JUDGE**

The undersigned party hereby declines to consent to the assignment of this case to a United States Magistrate Judge for trial and disposition, and hereby requests the reassignment of this case to a United States District Judge.

Dated: \_\_\_\_\_

Signed by: \_\_\_\_\_

Counsel for: \_\_\_\_\_

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

JONATHAN D COBB SR

Plaintiff,

v.

ERNEST BREDE

Defendant.

Case Number: 10-03907 MEJ

**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on October 4, 2010, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Jonathan D. Cobb, Sr.  
Walter Arlen St. Clair  
828 Weeks St.  
Palo Alto, CA 94303

Dated: October 4, 2010

Richard W. Wieking, Clerk  
By: Brenda Tolbert, Deputy Clerk