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United States District Court
For the Northern District of California

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

United States Of America,

Plaintiff,

v.

\$25,000 in United States Currency,

Defendant.

NO. C 10-04859 JW

**ORDER VACATING JUNE 27, 2011
HEARING; SETTING STATUS
CONFERENCE**

The government’s Motion for Summary Judgment¹ in this case is currently scheduled for a hearing on June 27, 2011. On June 10, 2011, the government filed a Notice stating that the parties have “reached an agreement in principal [sic] as to the settlement of this case,” and that “the lawyers have signed the agreement.” (See Docket Item No. 20.) The government contends that the parties are merely awaiting the signatures of the two claimants in this case, and that once those signatures have been obtained, the government will lodge the settlement agreement and proposed judgment with the Court for approval. (Id.) Finally, the government states that its Motion for Summary Judgment scheduled for hearing on June 27, 2011 “can be taken off calendar.” (Id.)

Upon review, the Court finds good cause to VACATE the June 27, 2011 Hearing and orders as follows:

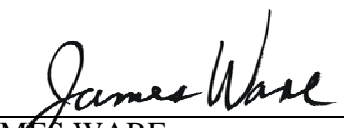
- (1) The Motion for Summary Judgment shall be terminated.

¹ (Amended Notice of Motion Hearing Date for the Summary Judgment Motion of the United States, hereafter, “Motion for Summary Judgment,” Docket Item No. 18.)

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- (2) The Court sets **July 11, 2011 at 10 a.m.** for a Status Conference in regard to the settlement.
- (3) On or before **July 1, 2011**, the parties shall file a Stipulated Dismissal in light of the settlement. If the settlement is not finalized by this date, the parties shall file a Status Conference Statement to update the Court on the progress of the settlement and how much time is needed to reduce the settlement to a writing and bring this case to a close.

Dated: June 15, 2011



JAMES WARE
United States District Chief Judge

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

2 David Martin Michael dmmp5@aol.com
3 Edward Michael Burch emikeb11@aol.com
4 Patricia Jean Kenney patricia.kenney@usdoj.gov

5 **Dated: June 15, 2011**

Richard W. Wieking, Clerk

6
7 **By: /s/ JW Chambers**
8 **Susan Imbriani**
9 **Courtroom Deputy**

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