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UNITED STATES DISTRICT COURT  
Northern District of California

LUTHER EUGENE CARTER

No. C 10-05960 MEJ

Plaintiff(s),

v.

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

A W CHESTERTON CO

Defendant(s).

Pending before the Court is Defendant's motion to dismiss. Upon review of the record in this action, the Court notes that the parties have not filed written consents 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, the parties shall inform the Court whether they consent to Magistrate Judge James' jurisdiction or request reassignment to a United States District Judge for trial. A copy of both the consent and declination forms may be obtained from the Northern District of California's website at <http://www.cand.uscourts.gov/>. From the homepage, click on the "Forms" tab on the left margin, then choose "Civil." The parties shall inform the Court of their decision by January 25, 2011.

**IT IS SO ORDERED.**

Dated: January 14, 2011

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

UNITED STATES DISTRICT COURT  
For the Northern District of California