

1 UNITED STATES DISTRICT COURT
 2 Northern District of California

3
 4 MARTIN GARDNER REIFFIN

No. C 11-03505 MEJ

5 Plaintiff(s),

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

6 v.

7 MICROSOFT CORP.

8 Defendant(s).

9
 10 Pending before the Court is Defendant's motion to dismiss. Upon review of the record in
 11 this action, the Court notes that the parties have not filed written consents to magistrate judge
 12 jurisdiction. This civil case was randomly assigned to the undersigned magistrate judge for all
 13 purposes including trial. In accordance with 28 U.S.C. § 636(c), the magistrate judges of this district
 14 court are designated to conduct any and all proceedings in a civil case, including trial and entry of
 15 final judgment, upon the consent of the parties. An appeal from a judgment entered by a magistrate
 16 judge may be taken directly to the United States Court of Appeals for the Ninth Circuit in the same
 17 manner as an appeal from any other judgment of a district court.

18 You have the right to have your case assigned to a United States District Judge for trial and
 19 disposition. Accordingly, the parties shall inform the court, by way of the enclosed form (or the
 20 form on the Court's website), whether they consent to magistrate judge jurisdiction or request
 21 reassignment to a United States District Judge for trial. The parties shall inform the Court of their
 22 decision by August 31, 2011.

23 **IT IS SO ORDERED.**

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 25 Dated: August 17, 2011

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 27 _____
 Maria-Elena Jones
 Chief United States Magistrate Judge

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

MARTIN GARDNER REIFFIN

No. C 11-03505 MEJ

Plaintiff(s),

**CONSENT TO ASSIGNMENT OR
REQUEST FOR REASSIGNMENT**

vs.

MICROSOFT CORP.

Defendant(s).

_____ /

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 UNITED STATES DISTRICT COURT
2 FOR THE
3 NORTHERN DISTRICT OF CALIFORNIA

4
5 MARTIN GARDNER REIFFIN

Case Number: 11-03505 MEJ

6 Plaintiff,

CERTIFICATE OF SERVICE

7 v.

8 MICROSOFT CORP.

9 Defendant.
_____ /

10
11 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

12 That on August 17, 2011, I SERVED a true and correct copy(ies) of the attached, by placing said
13 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said
14 envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

15 Martin Gardner Reiffin
16 47 Pheasant Run Terrace
Danville, CA 94506

17
18 Dated: August 17, 2011

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