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UNITED STATES DISTRICT COURT  
Northern District of California

SCOTT RIEGER

No. C 11-04202 MEJ

Plaintiff(s),

**SECOND ORDER DIRECTING  
PLAINTIFF TO FILE  
CONSENT/DECLINATION FORM**

v.

AMERICAN EXPRESS

Defendant(s).

\_\_\_\_\_ /

On September 23, 2011, the Court ordered the parties to file a written consent to magistrate judge jurisdiction. Plaintiff Scott Rieger has failed to comply. This civil case was randomly assigned to the undersigned magistrate judge 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 a magistrate judge 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, Plaintiff Scott Rieger shall inform the Court, by way of the enclosed form, whether he consents to magistrate judge jurisdiction or requests reassignment to a United States District Judge for trial. The consent/declination form shall be filed by October 27, 2011. **Failure to comply with this Order may result in the imposition of sanctions.**

**IT IS SO ORDERED.**

Dated: October 19, 2011

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

UNITED STATES DISTRICT COURT  
For the Northern District of California

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

SCOTT RIEGER

No. C 11-04202 MEJ

Plaintiff(s),

vs.

AMERICAN EXPRESS

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: \_\_\_\_\_

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UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

SCOTT RIEGER

Plaintiff,

v.

AMERICAN EXPRESS

Defendant.

Case Number: 11-04202 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 19, 2011, 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.

Scott Rieger  
2697 Parkside Drive  
Fremont, CA 94536

Dated: October 19, 2011

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