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

J&J SPORTS PRODUCTIONS, INC.,

Plaintiff,

No. C 12-01702 JSW

v.

JESUS SERGURA,

Defendant.

**ORDER REQUESTING
SUPPLEMENTAL SUBMISSION
REGARDING MOTION TO RE-
OPEN CASE AND VACATING
HEARING**

On September 25, 2013, Plaintiff filed a motion to re-open this case, which is noticed for hearing on January 31, 2014. Defendant has not filed an opposition within the time permitted by the Northern District Civil Local Rules, and the motion is ripe for resolution. The Court has considered Plaintiff's papers, relevant legal authority, and the record in this case, and it finds the motion is suitable for disposition without oral argument. Accordingly, the Court VACATES the hearing scheduled for January 31, 2014, and it shall resolve the motion on the papers.

Based on the current record, notwithstanding the stipulation of dismissal which permits a party to seek to re-open the case, it is not clear to the Court that it would have jurisdiction over what appears to be a breach of contract dispute. Accordingly, the Court HEREBY ORDERS Plaintiff to submit a copy of the Settlement Agreement and Release to the Court by no later than November 1, 2013. Plaintiff shall file an administrative motion to file the Settlement Agreement and Release Under seal, based on the representation that the terms of that release are confidential. If Plaintiff fails to file the Settlement Agreement and Release by November 1, 2013, the Court will deny the motion to re-open without prejudice.

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United States District Court
For the Northern District of California

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Once the Plaintiff has filed the Settlement Agreement and Release, the matter will be deemed submitted, and the Court shall issue a written ruling.

IT IS SO ORDERED.

Dated: October 23, 2013



JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE