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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

KEYON GARDNER and KELVIN POTTS,
JR.,
Plaintiffs,
v.
CITY OF OAKLAND; HOWARD
JORDAN, in his capacity as Chief of Police
for the CITY OF OAKLAND; MARK
THOMAS, individually and in his official
capacity as a police officer for the CITY OF
OAKLAND,
Defendants.

Case No. 12-cv-02926 NC

**ORDER DENYING REQUEST TO
VACATE PRETRIAL AND TRIAL
DATES**

Re: Dkt. No. 20

The Court acknowledges and appreciates the Notice of Settlement filed in this case. But as the parties have not explained why a settlement reached October 8, 2013, and which does not require City Counsel approval, cannot be executed reasonably in advance of the pretrial conference, the stipulation to vacate the pretrial and trial dates is denied.

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Case No. 12-cv-02926 NC
ORDER DENYING REQUEST TO
VACATE DATES

1 The Court continues the pretrial conference to October 30, 2013, at 2:00 p.m., and
2 keeps the trial on calendar pending a dismissal request.

3 IT IS SO ORDERED.

4 Date: Month ##, 2013

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7 Nathanael M. Cousins
8 United States Magistrate Judge
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