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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

O. MATTHEW THOMAS,
Plaintiff,
v.
SAN FRANCISCO TRAVEL
ASSOCIATION,
Defendant.

Case No. [14-cv-03043-JD](#)

**ORDER RE DECLARATIONS AND
RECUSAL**

Re: Dkt. Nos. 24, 27

The Court orders the following documents and portions of documents to be stricken from the record of this case because they contain inappropriate disclosures about confidential settlement negotiations between the parties and their early neutral evaluation session:

- Plaintiff's Opposition to Defendant's Motion for Summary Judgment (Dkt. No. 24) at 2:4-6;
- Declaration of O. Matthew Thomas (Dkt. Nos. 24 and 24-1): paragraphs 3 and 13 of declaration (Dkt. No. 24) and Exhibit 10 (Dkt. No. 24-1);
- Notice of Motion and Motion of Defendant San Francisco Travel Association to Strike Plaintiff's Untimely Opposition Papers (Dkt. No. 27);
- Declaration of Jamie L. Dupree in Support of Motion to Strike Untimely Opposition Papers and Exhibits (Dkt. Nos. 27-1 to 27-4).

See Jones v. Metro. Life Ins. Co., No. C-08-03971-JW DMR, 2010 WL 4055928, at *14 (N.D. Cal. Oct. 15, 2010) (court has inherent power to strike improperly filed information on settlement discussions as inadmissible and improper); ADR L.R. 5-12(a) (Confidential information regarding ENE session and materials shall not be disclosed to the assigned judge).

The Court recuses itself from all further proceedings in this matter, and requests that the


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Clerk reassign the case to another district judge.

All pending dates of motions, pretrial conferences and trial are vacated and will be reset by the newly assigned judge.

IT IS SO ORDERED.

Dated: September 24, 2015



JAMES DONATO
United States District Judge