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2
3 UNITED STATES DISTRICT COURT
4 NORTHERN DISTRICT OF CALIFORNIA
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6 LUXURYCATALOGS.COM, INC.,

7 Plaintiff,

8 v.

9 DANIEL G. MILLER,

10 Defendant.

Case No. 14-cv-04952-TEH

ORDER REOPENING CASE

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12 This case settled with the assistance of Magistrate Judge Maria-Elena James on
13 November 2, 2015. The following day, this Court dismissed the case with prejudice but
14 provided that the dismissal would be vacated if any party certified to the Court within 60
15 days that the agreed consideration had not been delivered. Plaintiff Luxurycatalogs.com
16 filed a motion to enforce the settlement on December 23, 2015, and the Court referred the
17 motion to Judge James for a report and recommendation.

18 Judge James recommended that the Court deny Plaintiff's motion because it lacks
19 jurisdiction to enforce the agreement. She further recommended that the Court set aside
20 the order of dismissal and restore this case to the calendar. Objections were due by
21 January 11, 2016, and no objections were filed.

22 After reviewing the record and Judge James's report and recommendation, the
23 Court finds good cause to adopt the report and recommendation in its entirety.
24 Accordingly, Plaintiff's motion to enforce the settlement is DENIED. However, the
25 November 3, 2015 Order of Dismissal is set aside, and the Clerk shall reopen the file. The

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United States District Court
Northern District of California

1 parties shall appear for a joint case management conference on **March 21, 2016, at**
2 **1:30 PM**, and file a joint case management conference statement on or before **March 14,**
3 **2016.**

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5 **IT IS SO ORDERED.**

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7 Dated: 01/13/16



THELTON E. HENDERSON
United States District Judge

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