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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JANICE PAYNE,

No. C 08-2098 WDB

Plaintiff,

ORDER FOLLOWING INITIAL CASE  
MANAGEMENT CONFERENCE

v.

BAY AREA RAPID TRANSIT  
DISTRICT,

Defendant.

\_\_\_\_\_ /

On September 17, 2008, the parties appeared for an Initial Case Management Conference. In their Joint Case Management Statement and on the record during the Conference, the parties indicated that they were amenable to attempting to resolve this action through an early settlement conference with a Magistrate Judge. Accordingly, the Court decided to defer setting a trial date until after the parties have attended the settlement conference that must occur between November 15, 2008, and December 15, 2008, with Magistrate Judge Larson. A member of Judge Larson's chambers will contact the parties directly to set the exact date for the settlement conference. The Court encouraged the parties to use the time leading up to the settlement conference to disclose material information and documents to one another and to undertake any surgical discovery that is necessary to have a productive settlement conference.

If the parties are unable to settle the case, they must appear before the undersigned on **Tuesday, January 13, 2009, at 1:00 p.m.**, for a further case management conference during which the Court will set a trial date. Counsel may appear by telephone for the conference by notifying the undersigned's administrative law clerk at least two days before

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the hearing at (510) 637-3324. **By no later than Friday, January 9, 2009, at noon**, the parties must file a Further Joint Case Management Statement that describes the discovery that has taken place and suggests a specific case development plan and schedule. The parties must not include in this Statement any information about the substance of their settlement negotiations.

If the matter settles before January 13, 2009, the parties must promptly prepare and file dismissal papers and notify the Court by calling (510) 637-3324.

IT IS SO ORDERED.

Dated: September 29, 2008

  
WAYNE D. BRAZIL  
United States Magistrate Judge