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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JANICE PAYNE,

No. C 08-2098 WDB

Plaintiff,

ORDER FOLLOWING FURTHER
CASE MANAGEMENT
CONFERENCE

v.

BAY AREA RAPID TRANSIT
DISTRICT,

Defendant.

_____ /

On January 13, 2009, the Court hosted a Further Case Management Conference. In their Updated Joint Case Management Statement and on the record during the Conference, the parties indicated that they had participated in an early settlement conference with Magistrate Judge Larson. During the Conference, the parties advised that they believed they were close to agreement regarding the prospective injunctive relief aspects of the litigation but would like to receive further assistance negotiating the disposition of the damages and all other remaining portions of the action.

Judge Larson has agreed to attempt to schedule one further settlement conference with the parties. Counsel for plaintiff is Ordered to initiate communications with the chambers of Judge Larson to attempt to schedule a further settlement conference. The Court encouraged the parties to use the time leading up to a further settlement conference to undertake any surgical discovery that is necessary to have a productive further settlement conference.

1 If the parties are unable to settle the case, they must appear before the undersigned
2 on **Wednesday, March 4, 2009, at 4:00 p.m.**, for a further case management conference
3 during which the Court will set a trial date. Counsel may appear by telephone for the
4 conference by notifying the undersigned's administrative law clerk at least two days before
5 the hearing at (510) 637-3324. **By no later than Monday, March 2, 2009, at noon**, the
6 plaintiff must file a Further Joint Case Management Statement that describes discovery that
7 has taken place and that is anticipated and that sets forth a specific case development plan
8 and suggests a trial date.

9 If the matter settles before March 2, 2009, the parties must promptly prepare and file
10 dismissal papers and notify the Court by calling (510) 637-3324.

11 IT IS SO ORDERED.

12 Dated: January 13, 2009

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14 WAYNE D. BRAZIL
15 United States Magistrate Judge
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