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2 UNITED STATES DISTRICT COURT
3 FOR THE NORTHERN DISTRICT OF CALIFORNIA
4 OAKLAND DIVISION
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6 CONOCOPHILLIPS COMPANY,

7 Plaintiff,

8 vs.

9 MILESTONE PACIFIC PROPERTIES, LLC et
10 al.,

11 Defendants.
12

Case No.: C 08-02695 SBA

ORDER

13 On October 5, 2009 this Court was notified of a settlement agreement between the parties.
14 [Docket No. 40]. On October 13, 2009 this Court issued a conditional dismissal allowing either
15 party to move to reopen the case within 90 days in the event that a settlement was not reached.
16 [Docket No. 41]. Also, on October 13, 2009, Plaintiff filed a "Motion to Enforce Settlement
17 Agreement and for Judgment," which is scheduled to be heard on December 15, 2009. [Docket No.
18 42]. On October 14, 2009 Plaintiff filed a timely "Motion to: 1) Reopen Case; and 2) Shorten
19 Time for Hearing and to Alter the Briefing Schedule on its Motion to Enforce Settlement." [Docket
20 No. 46].

21 Good cause appearing,

22 IT IS HEREBY ORDERED THAT:

- 23 1. Plaintiff's request to reopen is GRANTED;
- 24 2. Plaintiff's motion to enforce the settlement agreement is REFERRED to the Chief
25 Magistrate Judge or her designee for resolution within 45 days of this order;
- 26 3. The motion to shorten time is DENIED without prejudice to renew before the
27 assigned Magistrate Judge; and
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4. A Case Management Conference is scheduled for December 3, 2009, at 3:30 p.m.
The parties shall **meet and confer** prior to the conference and shall prepare a joint Case Management Conference Statement which shall be filed no later than ten (10) days prior to the Case Management Conference that complies with the Standing Order For All Judges of The Northern District of California and the Standing Order of this Court. Plaintiffs shall be responsible for filing the statement as well as for arranging the conference call. All parties shall be on the line and shall call (510) 637-3559 at the above indicated date and time.

IT IS SO ORDERED.

Dated: 10/26/09


SAUNDRA BROWN ARMSTRONG
United States District Judge