

1 UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF CALIFORNIA
3 OAKLAND DIVISION

4 JAMES SILVA,

5 Plaintiff,

6 vs.

7 THE DUTRA GROUP, et al.,

8 Defendants.

9
10 AND THIRD PARTY ACTION.

Case No: C 08-4964 SBA

**ORDER DENYING REQUEST TO
CONTINUE CASE MANAGEMENT
CONFERENCE**

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12 On October 21, 2009, the Court issued an order setting this matter for a Case Management
13 Conference (CMC) to take place on November 18, 2009. In that order, the Court directed the
14 parties to meet and confer regarding whether this matter should be transferred to the Southern
15 District of California, and to indicate their respective positions on this issue in their joint CMC
16 statement. Thereafter, the parties requested a continuance of the CMC on the ground that they
17 were engaged in active settlement negotiations. As such, the Court continued the matter from
18 November 18, 2009 to December 16, 2009. Docket 72. The Court subsequently continued the
19 CMC two additional times, again based on the parties' representation that they were discussing
20 settlement. The parties are now requesting another continuance of the CMC, once again on the
21 ground that they are engaged in settlement discussions. The parties have had ample opportunity to
22 discuss settlement and the Court will not entertain any additional requests to continue the CMC.
23 Accordingly,

24 IT IS HEREBY ORDERED THAT the parties' request to continue the CMC scheduled for
25 March 10, 2010 at 2:45 p.m. is DENIED. **The parties shall be prepared to schedule a date for
26 trial prior to December 1, 2010.**

27 IT IS SO ORDERED.

28 Dated: March 8, 2010


SAUNDRA BROWN ARMSTRONG
United States District Judge