

UNITED STATES DISTRICT COURT
For the Northern District of California

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UNITED STATES DISTRICT COURT
Northern District of California
Oakland Division

CONTAINER NAVIGATION CORPORATION,

No. C 10-02105 LB

Plaintiff,

ORDER DIRECTING PARTIES TO FILE CONSENT/DECLINATION FORM AND VACATING CMC

v.

NEW HOLLAND TIRE, INC.,

Defendant.

This civil case was randomly assigned to United States Magistrate Judge Laurel Beeler for all purposes including trial. In accordance with 28 U.S.C. § 636(c), magistrate judges are designated to conduct any and all proceedings in a civil case, including trial and entry of final judgment, upon the consent of the parties. An appeal from a judgment entered by Judge Beeler may be taken directly to the United States Court of Appeals for the Ninth Circuit in the same manner as an appeal from any other judgment of a district court.

The parties have not filed written consents to Judge Beeler’s jurisdiction. The parties also have the right to have their case assigned to a United States District Judge for trial and disposition. Accordingly, the parties shall inform the court whether they consent to Judge Beeler’s jurisdiction or request reassignment to a United States District Judge. Each party shall file either a consent or declination form attached to this Order by September 7, 2010.

The CMC in this case was scheduled for September 2, 2010. ADR Scheduling Order, ECF No.

1 2. On August 16, 2010, Defendant filed a Motion to Change Venue and noticed the Motion for
2 hearing on October 21, 2010. ECF No. 6. In light of Defendant's Motion, the Court hereby
3 **VACATES** the CMC scheduled for September 2, 2010. The Court will set a new CMC date, if
4 necessary, following its ruling on Defendant's Motion.

5 **IT IS SO ORDERED.**

6 Dated: August 23, 2010



LAUREL BEELER
United States Magistrate Judge

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UNITED STATES DISTRICT COURT
Northern District of California
Oakland Division

CONTAINER NAVIGATION CORPORATION,

No. C 10-02105 LB

Plaintiff,

CONSENT TO PROCEED BEFORE A UNITED STATES MAGISTRATE JUDGE

v.

NEW HOLLAND TIRE, INC.,

Defendant.

_____ /

CONSENT TO PROCEED BEFORE A UNITED STATES MAGISTRATE JUDGE

In accordance with the provisions of Title 28, U.S.C. § 636(c), the undersigned party hereby consents to have a United States Magistrate Judge conduct any and all further proceedings in the case, including trial and the entry of a final judgment. Appeal from the judgment shall be taken directly to the United States Court of Appeals for the Ninth Circuit.

Dated: _____

Signature

Counsel for _____
(Plaintiff, Defendant or indicate "pro se")

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UNITED STATES DISTRICT COURT
Northern District of California
Oakland Division

CONTAINER NAVIGATION
CORPORATION,

Plaintiff,

v.

NEW HOLLAND TIRE, INC.,

Defendant.

No. C 10-02105 LB

**DECLINATION TO PROCEED BEFORE
A UNITED STATES MAGISTRATE
JUDGE AND REQUEST FOR
REASSIGNMENT TO A UNITED
STATES DISTRICT JUDGE**

REQUEST FOR REASSIGNMENT TO A UNITED STATES DISTRICT JUDGE

The undersigned party declines to consent to the assignment of this case to a United States Magistrate Judge and requests the reassignment of this case to a United States District Judge.

Dated: _____

Signature _____

Counsel for _____
(Plaintiff, Defendant, or indicate "pro se")