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28UNITED STATES DISTRICT COURT  
For the Northern District of California

## UNITED STATES DISTRICT COURT

Northern District of California

Oakland Division

NORMAN YOSHIMOTO,

No. C 10-05438 LB

Plaintiff,

**ORDER DIRECTING PARTIES TO  
FILE CONSENT/DECLINATION  
FORM BY FEBRUARY 14, 2011**

v.

O'REILLY AUTOMOTIVE, INC., *et al.*,Defendants.  
\_\_\_\_\_ /

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 February 14, 2011.

**IT IS SO ORDERED.**

Dated: January 31, 2011


  
\_\_\_\_\_  
LAUREL BEELER  
United States Magistrate Judge

ORDER (C 10-05438 LB)

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UNITED STATES DISTRICT COURT  
Northern District of California  
Oakland Division

NORMAN YOSHIMOTO,  
Plaintiff,

No. C 10-05438 LB

**CONSENT TO PROCEED BEFORE A  
UNITED STATES MAGISTRATE JUDGE**

v.  
O'REILLY AUTOMOTIVE, INC., *et al.*,  
Defendants.

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

NORMAN YOSHIMOTO,

No. C 10-05438 LB

Plaintiff,

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

v.

O'REILLY AUTOMOTIVE, INC., *et al.*,

Defendants.

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")