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4 UNITED STATES DISTRICT COURT
5 NORTHERN DISTRICT OF CALIFORNIA

6 WAYNE J. ROBERTSON,
7 Plaintiff,
8 v.
9 W. STRUFFERT, et al.,
10 Defendants.
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Case No. [12-cv-04698-JSW](#)

ORDER RE CASE STATUS

12 On October 28, 2015, a minute entry for settlement conference proceedings in this matter
13 indicated that the matter had settled. However, this case remains pending, and the pretrial
14 conference remains on calendar for December 7, 2015.

15 The parties are reminded that they must comply with the standing orders of the
16 undersigned, including the Guidelines for Trial and Final Pretrial Conference in Civil Jury Cases
17 Before the Honorable Jeffrey S. White. Under these Guidelines, the parties' pretrial filings are
18 due fourteen days in advance of the final pretrial conference, which, in this case, means that the
19 pretrial filings are due Monday, November 23, 2015.

20 The parties also are reminded that paragraphs 44 and 45 of these same Guidelines provide
21 as follows:

22 44. Shortly before trial or the final pretrial conference, counsel
23 occasionally wish jointly to advise the Court or the Courtroom
24 Deputy Clerk that a settlement has been reached and to take the
25 pretrial conference or trial off calendar. Cases cannot be taken off
26 calendar in this manner. Unless and until a stipulated dismissal or
27 judgment is filed or placed on the record, all parties must be
28 prepared to proceed with the final pretrial conference as scheduled
and to proceed to trial on the trial date, or face dismissal of the case
for lack of prosecution or entry of default judgment. Only an
advance continuance expressly approved by the Court will release
counsel and the parties from their obligation to proceed. If counsel
expect that a settlement will be final by the time of trial or the final
pretrial conference, they should notify the Court immediately in

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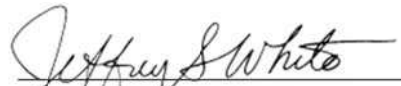
writing or, if it occurs over the weekend before the trial or conference, by voice mail to the Courtroom Deputy Clerk. The Court will attempt to confer with counsel as promptly as circumstances permit to determine if a continuance will be in order. Pending such a conference, however, counsel must prepare and make all filings and be prepared to proceed with the trial.

45. Local Rule 40-1 provides that jury costs may be assessed as sanctions for failure to provide the Court with timely written notice of a settlement. Please be aware that any settlement reached on the day of trial, during trial, or at any time after the jury or potential jurors have been summoned without sufficient time to cancel, will normally require the parties to pay juror costs.

The parties and counsel are reminded that failure to comply with any order of this Court, including a scheduling order or the Guidelines for Trial and Final Pretrial Conference, may result in sanctions.

IT IS SO ORDERED.

Dated: November 19, 2015



JEFFREY S. WHITE
United States District Judge