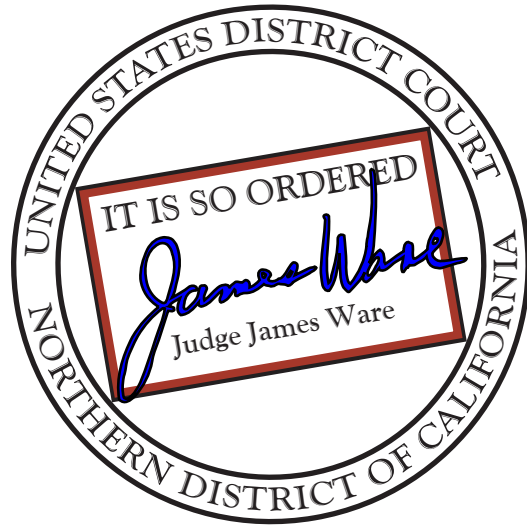


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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

RICHARD T. THIERIOT, an individual,
Plaintiff,
v.
AIG MATCHED FUNDING CORP., et al.,
Defendants.

Case No. 07-5069 JW-RS

**JOINT STATUS STATEMENT
REGARDING SETTLEMENT
ORDER TO SHOW CAUSE RE:
SETTLEMENT**

By Order issued July 2, 2009, the Court instructed the parties to file a Joint Statement to apprise the Court on their progress toward settlement on or before July 6, 2009. The parties were previously instructed to file a Joint Statement by June 26, 2009. Counsel for the parties sincerely apologize to the Court for not having done so.

1 The parties have reached oral agreement but have not finalized written settlement
2 documents. They had hoped to be able to finalize the settlement documentation by July 3,
3 but now estimate that it will take an additional week to complete such documentation, and
4 a further week to perform certain obligations pursuant to the settlement, including a
5 dismissal of the case, at which time they anticipate that the settlement will be finalized.

6
7 Dated: July 2, 2009

LUKENS LAW GROUP

8 WILLIAM M. LUKENS
9 JENNIFER L. JONAK

10 By: _____/s/
11 JENNIFER L. JONAK
12 Attorney for Plaintiff

13 Dated: July 2, 2009

14 DECHERT LLP
15 E. JOSEPH ESCHER
16 NICOLLE L. JACOBY

17 By: _____/s/
18 H. JOSEPH ESCHER III
19 Attorney for Defendants


20 *** ORDER ***

21 In light of the parties' representation that the case has settled, the Court vacates all trial and
22 pretrial dates. On or before **August 10, 2009**, the parties shall file a stipulated dismissal pursuant to
23 Federal Rule of Civil Procedure 41(a).

24 If a dismissal is not filed by the specified date, all parties shall appear in Courtroom No. 8, 4th
25 Floor, United States District Court, 280 South First Street, San Jose, Ca on **August 31, 2009 at 9 a.m.**
26 and to show cause, if any, why the case should not be dismissed pursuant to Fed. R. Civ. P. 41(b). On
27 or before **August 10, 2009**, the parties shall file a joint statement in response to the Order to Show
28 Cause. The joint statement shall set forth the status of the activities of the parties for finalizing the
settlement and how much additional time is requested to finalize and file the dismissal. If a voluntary
dismissal is filed as ordered, the Order to Show Cause hearing will be automatically vacated.

Failure to comply with any part of this Order will be deemed sufficient grounds to dismiss this
action.

Dated: July 8, 2009



JAMES WARE
United States District Judge