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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

Daniel J. Mitchell,

NO. C 08-01166 JW

Plaintiff,

**ORDER CONTINUING STATUS
CONFERENCE RE. SETTLEMENT**

v.

County of Monterey, et al.,

Defendants.

On September 27, 2011, the parties in this case informed the Court that they have “reached a conditional settlement.” (See Docket Item No. 190.) On September 30, 2011, in light of the settlement, the Court vacated all trial and pretrial dates and set November 21, 2011 for a Status Conference re. Settlement. (See Docket Item No. 191.) The Court stated that “[i]n the event that the terms of the settlement are finalized and proper authorization is given by the County earlier than the status date, the parties shall inform the Court by way of a Status Statement and select a date for Preliminary Approval of Settlement in accordance with the Court’s calendar.” (Id. at 1.)

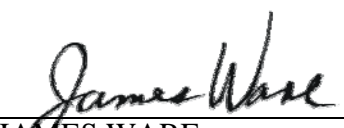
On November 11, 2011, the parties filed a Joint Status Conference Statement contending that the settlement agreement “has been approved by the County of Monterey Board of Supervisors,” but that Plaintiffs’ counsel is still “in the process” of “obtaining the last few remaining signatures to the settlement agreement from the individual Plaintiffs.” (See Docket Item No. 192 at 1-2.) The parties contend that they “anticipate filing a complete settlement agreement with all signatures with the Court on or before November 21, 2011.” (Id. at 2.)

In light of the parties’ contentions, the Court finds good cause to CONTINUE the Status Conference re. Settlement to **December 5, 2011 at 10 a.m.** On or before **November 23, 2011**, the

1 parties shall file a Joint Status Conference Statement setting forth, *inter alia*, the status of the parties
2 for finalizing the settlement and how much additional time is requested to finalize the settlement. In
3 the event that the terms of the settlement are finalized earlier than the status date, the parties shall
4 inform the Court by way of a Status Statement and select a date for Preliminary Approval of
5 Settlement in accordance with the Court's calendar.¹

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Dated: November 15, 2011



JAMES WARE
United States District Chief Judge

26 _____
27 ¹ In this event, the December 5 Status Conference re. Settlement shall be automatically
28 vacated.

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

2 David Emilio Mastagni davidm@mastagni.com
3 David Philip Mastagni dmastagni@mastagni.com
4 Isaac Sean Stevens istevens@mastagni.com
5 James Byron Carr jcarr@mastagni.com
6 James Byron Carr jcarr@mastagni.com
7 William K. Rentz rentzb@co.monterey.ca.us

8 **Dated: November 15, 2011**

Richard W. Wieking, Clerk

9 **By: /s/ JW Chambers**
10 **Susan Imbriani**
11 **Courtroom Deputy**

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