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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

FRANCISCO CERVANTES, et al.,	)	Case No.: C 08-3817 JW (PVT)
Plaintiffs,	)	<b>ORDER OF RECUSAL AS SETTLEMENT MAGISTRATE JUDGE ONLY</b>
v.	)	
LIU CHENG, INC. dba MANDARIN GOURMENT, et al.,	)	
Defendants.	)	

On November 6, 2009, this court issued an order granting Plaintiffs' Motions to Compel Further Responses to Interrogatories and Production of Documents. On November 20, 2009, the case was referred to Magistrate Judge Trumbull for a settlement conference. The settlement conference is currently scheduled to take place on January 20, 2010. On January 4, 2010, Plaintiffs filed a motion for sanctions based on Defendants' failure to comply with this court's prior order compelling discovery. Among other things, Plaintiffs seek an order recommending imposition of evidence preclusion sanctions, striking of the answer and entry of default judgment. Based on the file herein,

IT IS HEREBY ORDERED that, in light of the sanctions motion currently pending before her, Magistrate Judge Trumbull recuses herself from acting as the settlement magistrate judge in this case.

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IT IS FURTHER ORDERED that the parties shall promptly contact Magistrate Judge  
Howard Lloyd's chambers to schedule a settlement conference on his calendar.

Dated: 1/8/10

  
PATRICIA V. TRUMBULL  
United States Magistrate Judge