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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

DONALD WAYNE CRISP,  
Plaintiff,  
v.  
JOHN A. WAGNER, et al.,  
Defendants.

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Case No.: C 09-03102 PVT  
**ORDER SETTING DEADLINE FOR PARTIES TO FILE EITHER A "CONSENT TO PROCEED BEFORE A UNITED STATES MAGISTRATE JUDGE," OR ELSE A "DECLINATION TO PROCEED BEFORE A UNITED STATES MAGISTRATE JUDGE AND REQUEST FOR REASSIGNMENT"**

On August 17, 2009, defendants Elliott Robinson, Len Foster and Harry Weis moved to dismiss pursuant to Rule 12(b)(6). This case has been assigned to a Magistrate Judge. Before the court takes any action on the motion to dismiss, the court must determine whether or not all of the parties who have appeared consent to Magistrate Judge jurisdiction, or whether any of the parties request reassignment to a District Judge. Therefore,

IT IS HEREBY ORDERED that no later than September 11, 2009, each party who has not already done so shall file either a "Consent to Proceed Before a United States Magistrate Judge," or else a "Declination to Proceed Before a United States Magistrate Judge and Request for Reassignment." Both forms are available from the clerk of the court, or from the Forms (Civil)

1 section of the court's website at [www.cand.uscourts.gov](http://www.cand.uscourts.gov).

2 Dated: August 18, 2009

*Patricia V. Trumbull*  
PATRICIA V. TRUMBULL  
United States Magistrate Judge

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