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**United States District Court**  
For the Northern District of California

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

Juan Carlos Cuellar, et al.,  
Plaintiffs,  
v.  
Anthony Fidel Alamillo, et al.,  
Defendants.


NO. C 09-04047 JW

**ORDER VACATING PRELIMINARY  
PRETRIAL CONFERENCE;  
REASSIGNING CASE TO A  
MAGISTRATE JUDGE**

This case is scheduled for a Preliminary Pretrial Conference on November 1, 2010. This was the parties' third continuance. On October 26, 2010, Plaintiffs submitted a Preliminary Pretrial Statement. (See Docket Item No. 12.) Defendants have not joined in Plaintiffs' Pretrial Statement, nor have they responded to Plaintiffs' emails to file jointly. (Id.)

In the Preliminary Pretrial Statement, Plaintiffs reiterate their consent to proceed before a magistrate judge for all purposes. Upon review of the docket, the Court finds that in the parties' September 10, 2010 Joint Trial Statement, Defendants also consented to a magistrate judge for all purposes. (See Docket Item No. 30.) In light of the parties' consent, the Clerk of Court shall reassign this case to the appropriate magistrate judge.

Dated: October 27, 2010

  
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JAMES WARE  
United States District Judge

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

James Dal Bon jdblaw@earthlink.net  
Tomas Eduardo Margain margainlaw@hotmail.com

**Dated: October 27, 2010**

**Richard W. Wieking, Clerk**

By:           /s/ JW Chambers            
**Elizabeth Garcia**  
**Courtroom Deputy**