

United States District Court
For the Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

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|-------------------------------------|---|------------------------------|
| WILLIAM ERRICO, ET AL., |) | Case No.: 09-CV-04072-LHK |
| |) | |
| Plaintiffs, |) | ORDER TERMINATING MOTION FOR |
| v. |) | LEAVE TO AMEND AS MOOT AND |
| |) | SETTING CASE MANAGEMENT |
| PACIFIC CAPITAL BANK, N.A., ET AL., |) | CONFERENCE FOR JUNE 22, 2011 |
| |) | |
| Defendants. |) | |

On May 11, 2011, the parties filed a Joint Status Report notifying the Court that they have reached a settlement, and anticipate filing a stipulation of dismissal with prejudice within the next thirty days. *See* May 11, 2011 Joint Status Report [dkt. #62]. In light of the settlement, Plaintiffs have withdrawn their motion for leave to amend the complaint as moot. *Id.* at ¶ 2.

Accordingly, Plaintiffs’ motion for leave to amend the complaint [dkt. #54] is terminated as moot. The May 19, 2011 motion hearing and case management conference are vacated.

A further case management conference is set for Wednesday, June 22, 2011 at 2:00 p.m., with the supplemental case management statement due by June 15, 2011. If, as anticipated, the parties file their stipulation of dismissal on or before June 15, 2011, the Court will vacate the June

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22, 2011 case management conference. The Court appreciates the parties' efforts at resolving this action and strongly encourages the parties to act promptly in executing the settlement agreement.

IT IS SO ORDERED.

Dated: May 11, 2011



LUCY H. KOH
United States District Judge