

United States District Court
For the Northern District of California

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

WILLIAM ERRICO, ET AL.,)	Case No.: 09-CV-04072-LHK
)	
Plaintiffs,)	ORDER SEEKING CLARIFICATION
v.)	REGARDING STATUS OF
)	SETTLEMENT
PACIFIC CAPITAL BANK, N.A., ET AL.,)	
)	
Defendants.)	

On May 11, 2011, the parties filed a status report notifying the Court that they had reached a settlement. *See* May 11, 2011 Joint Status Report [dkt. #62]. The parties represented that they anticipated filing a stipulation of dismissal with prejudice within thirty days from May 11, 2011. *See id.* In light of the settlement and anticipated stipulation of dismissal with prejudice, the Court continued the May 19, 2011 case management conference to June 22, 2011 at 2:00 p.m.

On June 15, 2011, the parties submitted a supplemental status report, informing the Court that the “settlement agreement has been approved and is with Defendant’s counsel for final approval.” *See* June 15, 2011 Status Report [dkt. #64]. The parties, again, anticipate filing a stipulation of dismissal within thirty days. However, the parties also note that many events must occur before a stipulation of dismissal will be filed in this case and that a dismissal review hearing is scheduled in the Stanislaus County Superior Court for September 9, 2011 in Defendants’ foreclosure action.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

By Monday, June 20, 2011 at 1:00 p.m., the parties shall file a joint status report informing the Court of: (1) the date the settlement agreement will be executed; (2) the date the settlement amount will be paid; and (3) the date upon which they will file the stipulation of dismissal in this action. The parties should note that the case schedule deadlines remain in effect pending their stipulation of dismissal.

IT IS SO ORDERED.

Dated: June 16, 2011



LUCY H. KOH
United States District Judge