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

Juan Montano,

NO. C 10-00746 JW

Plaintiff,

**ORDER VACATING CASE
MANAGEMENT CONFERENCE;
SETTING STATUS CONFERENCE RE:
SETTLEMENT**

v.

Todd Allan Miller, et al.,

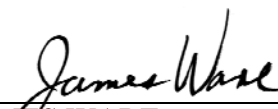
Defendants.

On September 7, 2010, the parties filed a Joint Case Management Statement requesting a continuance of their Case Management Conference currently set for September 20, 2010 on the ground that they have reached a settlement. (See Docket Item No. 12.) In light of the settlement, the Court vacates all trial and pretrial dates.

On or before **December 10, 2010**, the parties shall file a stipulated dismissal pursuant to Federal Rule of Civil Procedure 41(a). If a dismissal is not filed by the specified date, all parties shall appear for a Status Conference re: Settlement on **December 20, 2010 at 10 a.m.** The parties shall file a Joint Status Conference Statement on **December 10, 2010** updating the Court on the progress of their settlement and specifying the time required to bring this case to a close.

Failure to comply with any part of this Order will be deemed sufficient grounds to dismiss this action.

Dated: September 15, 2010



JAMES WARE
United States District Judge

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

2 James A. Scharf james.scharf@usdoj.gov
3 William Michael McCann mcnlgu@aol.com

4 **Dated: September 15, 2010**

Richard W. Wieking, Clerk

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6 **By: /s/ JW Chambers**
7 **Elizabeth Garcia**
8 **Courtroom Deputy**

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