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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

MICHAEL JOHN MEASEL,
Plaintiff,
v.
LINKUS ENTERPRISES, INC.,
Defendant.

Case No.: C 10-2345 PVT
ORDER SETTING NEW 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 June 3, 2010, Defendant filed a motion to dismiss.¹ Pursuant to Civil Local Rule 73-1(a)(2),² no later than one week after that motion was filed each party was required to file either a written consent to the jurisdiction of the Magistrate Judge, or request reassignment to a District Judge.³ Neither party has done so.⁴ Therefore, based on the file herein,

IT IS HEREBY ORDERED that the deadline for the parties to file either a “Consent to

¹ The holding of this court is limited to the facts and the particular circumstances underlying the present motion.

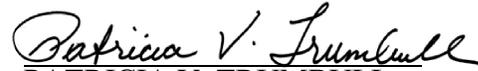
² A copy of the court’s Civil Local Rules are available from the clerk of the court, or from the “Rules” section of the court’s website (www.cand.uscourts.gov).

³ Magistrate Judges have authority to hear dispositive motions, such as the motion to dismiss, only in cases where all parties have consented to Magistrate Judge jurisdiction. *See* 28 U.S.C. § 636(c)(1).

⁴ On June 11, 2010, a Clerk’s Notice of Impending Reassignment to a United States District Judge was erroneously filed herein. That notice should be disregarded.

1 Proceed Before a United States Magistrate Judge,” or else a “Declination to Proceed Before a United
2 States Magistrate Judge and Request for Reassignment,” is extended to July 6, 2010. Both forms are
3 available from the clerk of the court, or from the “Forms” section of the court’s website
4 (www.cand.uscourts.gov).

5 Dated: 6/24/10

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7 PATRICIA V. TRUMBULL
8 United States Magistrate Judge
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Counsel automatically notified of this filing via the court's Electronic Case Filing system.

copies mailed on 6/25/10 to:

Michael John Measel
137 Highway 156
Prundale, CA 93907

/s/ Donna Kirchner for
MARTHA BROWN
Courtroom Deputy