

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

JIMMY J. McAFEE, et. al.,)	Case No.: 5:11-CV-00821-LHK
)	
Plaintiffs,)	
)	ORDER DENYING REQUEST TO
v.)	CONTINUE MEDIATION DEADLINE
)	
THOMAS FRANCIS, et. al.,)	
)	
Defendants.)	

On April 1, 2012, the parties filed a stipulation to continue the April 4, 2012 mediation and the April 7, 2012 deadline to complete mediation, based upon their representation that “[t]he Parties through their lawyers are actively engaged in settlement negotiations,” and “[t]he Parties believe that the settlement negotiations may be successful.” ECF No. 72 at 1. While the Court strongly encourages the parties to settle the above-captioned matter, the mere vague expressions of optimism contained in the parties’ stipulation are insufficient to support continuation of the April 4, 2012 mediation session with William Alderman or the April 7, 2012 mediation deadline. In the absence of a stipulated notice of settlement, the Court declines to continue any of these dates at this time. The parties shall file a notice of settlement or dismissal with prejudice by no later than April 17, 2012, or if unable to do so, a status report stating that the case did not settle.

IT IS SO ORDERED.

Dated: April 2, 2012


LUCY H. KOH
United States District Judge