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**** E-filed February 16, 2012 ****

NOT FOR CITATION
IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

BANK OF MONTREAL, individually and as
Administrative Agent,

No. C11-03245 HRL

Plaintiff,

**ORDER CONTINUING SHOW CAUSE
HEARING**

v.

[Re: Docket Nos. 25, 26]

STOUGHTON DAVIDSON
ACCOUNTACY CORPORATION,

Defendant.

The parties in this action have informed the court that the settlement agreement between the parties has been fully executed and exchanged. However, due to a delay in payment of the settlement check, the parties are still awaiting clearance of the settlement funds. In separate statements, both parties request additional time to request dismissal of this action.

The court finds good cause to GRANT a brief continuance to permit the settlement check to clear. Therefore, the Show Cause hearing is continued to **February 28, 2012** at 10:00 a.m. in Courtroom 2, 5th Floor, 280 South First Street, San Jose, CA 95113. If a dismissal is filed prior to the hearing, the hearing will be automatically vacated. If the parties conclude that they cannot request a dismissal before February 28, they shall file a Joint Statement explaining 1) the status of activities of the parties in finalizing settlement; and 2) how much additional time is needed to finalize the settlement and file a dismissal. Said Joint Statement shall be filed no later than February 24, 2012.

IT IS SO ORDERED.

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Dated: February 16, 2012



HOWARD R. LLOYD
UNITED STATES MAGISTRATE JUDGE

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C11-03245 HRL Notice will be electronically mailed to:

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Counsel are responsible for distributing copies of this document to co-counsel who have not registered for e-filing under the court's CM/ECF program.