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 13 Ridley Ruth, Jr.

14 **UNITED STATES DISTRICT COURT**
 15 **NORTHERN DISTRICT OF CALIFORNIA**
 16 **SAN JOSE DIVISION**

17 RIDLEY RUTH, JR.,
 18 Plaintiff,
 19 v.
 20 SUBMITNET, INC.,
 Defendant.

Case No. C 12-01180-PSG

ASSIGNED FOR ALL PURPOSES TO THE
 HON. PAUL S. GREWAL

NOTICE OF SETTLEMENT AND
~~**PROPOSED**~~ **ORDER**

Complaint Filed: January 27, 2012
 (originally filed in Santa Clara Superior Court)
 Final Pre-trial Conf.: August 13, 2013
 Trial Date: September 23, 2013

23 SUBMITNET, INC.,
 24 Cross-Complainant,
 25 v.
 26 RIDLEY RUTH, JR.,
 27 Cross-Defendant.

1 TO ALL PARTIES AND THEIR COUNSEL OF RECORD AND TO THE
2 HONORABLE COURT:

3 On December 10, 2012, Plaintiff Ridley Ruth ("Plaintiff") and Defendant SubmitNet, Inc.
4 ("Defendant") (collectively, the "parties") participated in a court-sponsored mediation with the
5 Honorable Ellen James (ret.). At mediation, the parties reached a mutually agreeable settlement
6 of Plaintiff's complaint and Defendant's cross-complaint.

7 The parties' Joint Case Management Conference ("CMC") Statement is due today in
8 anticipation of the CMC scheduled for December 18, 2012. In lieu of filing a Joint CMC
9 Statement, the parties jointly file this Notice of Settlement and Proposed Order. The parties
10 request that the Court continue the CMC for at least 60 days, and specifically until February 19,
11 2013 or the next available court date thereafter. The parties further request that the continued
12 CMC be vacated if a Stipulation of Dismissal pursuant to Federal Rule of Civil Procedure 41 is
13 filed at least five (5) days before the date set for the continued CMC.

14 DATED: December 11, 2012

PERKINS COIE LLP

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16 By: /s/ JENICA D. MARIANI
Jenica D. Mariani

17 Attorneys for Defendant and Cross-
18 Complainant SubmitNet, Inc.

19 DATED: December 11, 2012

**WYLIE, MCBRIDE, PLATTEN &
RENNER**

20
21 By: 
John McBride

22 Attorneys for Plaintiff and Cross-Defendant
23 Ridley Ruth
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ORDER

Pursuant to the Parties' Notice of Settlement and good cause appearing, the Court hereby ORDERS that the Case Management Conference is continued from December 18, 2012 at 3:00 p.m. to 2:00 p.m. on 2/19/2013.

The Court further orders that if at least five days before the continued Case Management Conference, the parties file a Stipulation of Dismissal as to Plaintiff's complaint and Defendant's cross-complaint, the Case Management Conference will be vacated.

IT IS SO ORDERED.

Dated: December 17, 2012


HONORABLE PAUL SINGH GREWAL
United States Magistrate District Judge