

United States District Court
For the Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

RONALD METCALFE,)
)
 Plaintiff,)
)
 v.)
)
 CALIFORNIA DEPARTMENT OF)
 CORRECTIONS & REHABILITATION;)
 SALINAS VALLEY STATE PRISON (“SVSP”))
 WARDEN A. HEDGPETH; FORMER SVSP)
 WARDEN M. EVANS; FORMER SVSP CHIEF))
 DEPUTY WARDEN G. NEOTTI; FORMER)
 SVSP CHIEF DEPUTY WARDEN G. LEWIS;)
 CORRECTIONAL TRAINING FACILITY)
 (“CTF”) WARDEN R. GROUNDS; FORMER)
 CTF WARDEN(A) C. NOLL; and DOES 1)
 THROUGH 50 INCLUSIVE,)
)
 Defendants.)

Case No.: 5:12-CV-1445-LHK

SECOND ORDER REGARDING
FILING OF STIPULATION OF
DISMISSAL; ORDER CONTINUING
CASE MANAGEMENT
CONFERENCE

On February 19, 2013, Plaintiff Ronald Metcalfe filed a status report in which Plaintiff stated “that at the mediation conducted in this case on Friday, February 15, 2013, a conditional settlement of the entire action was reached, subject to internal approvals within CDCR, necessary governmental approvals, and execution of a formal settlement agreement and release in proper form.” ECF No. 32. Plaintiff requested that the case management conference scheduled for February 20, 2013 be continued for thirty days. *See id.* Plaintiff’s request was granted and the

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case management conference was continued to March 20, 2013. ECF No. 33. The parties were ordered to file their stipulation of dismissal by March 20, 2013. *Id.*

On March 20, 2013, the parties filed a status report in which the parties state that they are still waiting for the CDCR to grant final approval of the terms of the settlement and have, accordingly, been unable to file their stipulation of dismissal. ECF No. 34. The parties state that final approval should be obtained within 6 weeks. *Id.* The parties request that the Court continue the case management conference to allow the parties additional time to finalize the settlement. *Id.*

The Court hereby CONTINUES the case management conference to May 29, 2013. The parties shall submit their stipulation of dismissal by May 22, 2013.

IT IS SO ORDERED.

Dated: March 25, 2013



LUCY H. KOH
United States District Judge