

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIACALIFORNIA SPORTFISHING
PROTECTION ALLIANCE,

Plaintiff,

v.

CITY OF SANTA CRUZ, et al.,

Defendants.

Case No.15-cv-00714-NC

**ORDER REQUESTING
CLARIFICATION ON
STIPULATION OF DISMISSAL OR
ADDITIONAL
CONSENT/DECLINATION OF
MAGISTRATE JUDGE
JURISDICTION BY INDIVIDUAL
DEFENDANTS**

Re: Dkt. No. 20

The Court has reviewed the Stipulation to Dismiss Plaintiff's Claims With Prejudice and Proposed Order, Dkt. No. 20. The Proposed Order asks that the Court "retain and have jurisdiction over the Parties" with respect to future disputes arising under the Settlement Agreement. The term "Parties" is not defined in the Stipulation. If "Parties" is limited to CSPA and City of Santa Cruz, the Court is prepared to grant the Proposed Order. If "Parties" includes the individual defendants Pearson, Seifert and Schneider, then the Court has a jurisdictional problem. Those defendants have not consented to the jurisdiction of a U.S. magistrate judge in accordance with 28 U.S.C. § 636(c).

//

Case No.:15-cv-00714-NC

1 Accordingly, the parties are requested by August 24 to clarify whether (1) "Parties"
2 includes the individual defendants; and if so (2) whether the individual defendants consent
3 or decline the jurisdiction of a U.S. magistrate judge in accordance with 28 U.S.C. §
4 636(c). This will permit the Court to act on the Stipulation to Dismiss.

5 Plaintiff's counsel might anticipate this issue in future settlement agreements by
6 including in paragraph 13 of the standard settlement agreement a consent to magistrate
7 judge jurisdiction under 28 U.S.C. § 636(c), in addition to a consent to the jurisdiction of
8 the District Court for the Northern District of California.

9 **IT IS SO ORDERED.**

10 Dated: August 10, 2015



NATHANAEL M. COUSINS
United States Magistrate Judge