(PC) James	v. Scribner I	
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7	UNITED STATES DISTRICT COURT	
8	EASTERN DISTRICT OF CALIFORNIA	
9	JOHN E. JAMES, III,	CASE NO. 1:04-cv-05878-LJO-DLB PC
10		ORDER RE MOTION FOR STAY
11	Plaintiff,	
12	v. A.K. SCRIBNER, et al.,	(Doc. 287)
13	Defendants.	
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16	On March 19, 2009 and April 1, 2009, the parties filed notices that a settlement conference	
17	may be beneficial in resolving this case. (Docs. 277, 281). On April 8, 2009, this Court issued an	
18	order vacating the trial date of May 11, 2009, cross-designating this case to the Honorable Nandor	
19	J. Vadas for settlement, and staying this action in its entirety pending completion of the settlement	
20	conference.	
21	On April 15, 2009, Plaintiff filed a motion requesting that the order vacating the trial date	
22	be stayed for two weeks. Plaintiff contends that defendants are not acting in good faith in agreeing	
23	to engage in settlement negotiations, in which case Plaintiff requests that this case proceed to trial	
24	on May 11, 2009.	
25	Although the time for filing a response to the motion has not yet expired, the Court shall	
26	resolve this motion given the time sensitivity of Plaintiff's request, and because there does not appear	
27	to be any harm to defendants by the Court's ruling. <u>Local Rule 78-230</u> .	
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Doc. 288

The May 11, 2009 trial date in this matter has been vacated and that date is no longer available for trial. If Plaintiff is no longer willing to engage in settlement negotiations, he must notify the Court in writing immediately. The Court will then vacate the settlement conference and set this matter for trial scheduling. IT IS SO ORDERED. /s/ Dennis L. Beck
UNITED STATES MAGISTRATE JUDGE Dated: <u>April 23, 2009</u>