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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

LEONARD FARLEY,

CASE NO. 1:06-cv-01760-LJO-MJS (PC)

Plaintiff,

ORDER DENYING PLAINTIFF'S MOTION
FOR A SETTLEMENT CONFERENCE

v.

(ECF No. 47)

DOCTOR E. CAPOT, et al.,

Defendants.

_____ /

Plaintiff Leonard Farley ("Plaintiff") is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. The action is proceeding on Plaintiff's Amended Complaint, filed August 28, 2007 (ECF No. 15). Plaintiff's complaint alleges Defendant Harold Tate was deliberately indifferent to a serious medical need in violation of the Eighth Amendment.

On August 9, 2010, Plaintiff filed a motion requesting a settlement conference. (ECF No. 47.) In this type of action, settlement conferences are not set automatically. Local Rule 240(c)(8). A settlement conference will set only if both sides notify the Court

1 that they believe a settlement conference may be beneficial or desirable. Local Rule
2 270(a). Defendant Tate has not so notified the Court. Therefore, Plaintiff's motion for a
3 settlement conference is denied, albeit without prejudice.

4 This court encourages settlement conferences. If, as the case progresses, both
5 sides come to agree that a settlement conference could be productive, the Court will
6 undertake to accommodate them.

7 Accordingly, IT IS HEREBY ORDERED that Plaintiff's Motion for a Settlement
8 Conference is DENIED.
9

10
11 IT IS SO ORDERED.
12

13 Dated: December 3, 2010

/s/ Michael J. Seng
UNITED STATES MAGISTRATE JUDGE