

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA
FRESNO DIVISION

GEORGE N. ALLEN, et al.,

Plaintiff,

v.

STEPHEN MAYBERG, et al.,

Defendants.

(lead)

Including the following member cases:

- 1:-07-CV-00427-BLW (Gonzales)
- 1:07-CV-00834-BLW (Amadeo)
- 1:07-CV-00849-BLW (Brown)
- 1:07-CV-00850-BLW (DeBerry)
- 1:07-CV-00851-BLW (McNeal)
- 1:07-CV-00897-BLW (Scott)
- 1:07-CV-00913-BLW (Smith)
- 1:07-CV-00985-BLW (Scott)
- 1:07-CV-01558-BLW (Carmony)
- 1:08-CV-01196-BLW (Chaney)
- 1:08-CV-01339-BLW (Robinson)
- 1:09-CV-01890-BLW (Rhoden)
- 1:09-CV-02153-BLW (Frazier)
- 1:10-CV-01973-BLW (Vasquez)

Case No. 1:06-CV-01801-BLW-LMB
(consolidated cases)

ORDER

ORDER - 1

Because Judge David O. Carter has been unexpectedly occupied by an ongoing jury trial, and the parties in this matter are poised for settlement, the Court will appoint a magistrate triage judge to preside over interim telephonic or videoconference triage proceedings with counsel until such time as Judge Carter can conduct an in-person triage conference with counsel and the parties. The Court will also deem Plaintiffs' Motions for Temporary Restraining Orders and Preliminary Injunction moot, given that (1) each has been filed pro se, (2) all filings must be made through counsel, and (3) counsel have facilitated extensions of previous agreements preserving the status quo of Plaintiffs' urgent issues pending triage proceedings.

ORDER

IT IS ORDERED:

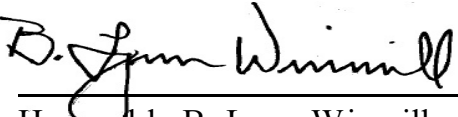
1. Chief United States Magistrate Judge Candy W. Dale, United States District Court for the District of Idaho, is appointed interim triage judge to preside over and conduct interim telephonic triage or videoconference proceedings with counsel until such time as Judge Carter can conduct an in-person triage conference with counsel and the parties.
2. Judge Dale's scheduling clerk shall contact counsel and schedule a telephonic conference at a mutually agreeable time, with the conference to be held as soon as possible, and no later than **April 14, 2011**. Maureen Laflin and Patrick Costello, counsel for Plaintiffs, can be reached at 208-885-6006; Jesse M. Rivera, counsel for Defendant Stephen Mayberg, can

be reached at 916-922-1200; Melinda Vaughn, counsel for Defendants, can be reached at 916-324-7873; and Christine Murphy, counsel for Defendants, can be reached at 916-327-6750.

3. The following motions are DENIED as MOOT: Plaintiff Frazier's Motion for Immediate Temporary Restraining Order (Dkt. 61); Plaintiff Rhoden's Motion for Leave to File a Second Motion for a Preliminary Injunction (Dkt. 62); Plaintiff Rhoden's Second Motion for a Preliminary Injunction or Temporary Restraining Order (Dkt. 63); Plaintiff Rhoden's Motion Requesting the Court to Enjoin the Defendants from Seizing his Laptop Computer Prior to Triage Conference (Dkt. 65); Plaintiff Carmony's Motion for Preliminary Injunction (Dkt. 67); and Plaintiff Frazier's Motion for Temporary Restraining Order (Dkt 71).
4. The Clerk of Court shall provide a copy of this Order to Judge David O. Carter and Judge Candy W. Dale.
5. The parties shall not file pro se filings, but all filings should be done through counsel.



DATED: **March 16, 2011**



Honorable B. Lynn Winmill
Chief U. S. District Judge