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

**DAVON E. MCCOY,**  
Plaintiff,  
**v.**  
**R. SPIDLE, et al.,**  
Defendants.

Case No. 1:07-cv-00198-DCB


**ORDER**

On October 23, 2009, the Court set a settlement conference in this case before Magistrate Judge Craig M. Kellison. The Court directed the parties to provide confidential settlement conference statements to Sujean Younger, ADR and Pro Bono Program Director, 501 I Street, Suite 4-200, Sacramento, California 95814. Unfortunately, the Plaintiff filed his settlement brief in the case. The Court has not read the brief because the trial court should not be privy to any settlement negotiations between the parties. The brief must be stricken from the record and forwarded to Sujean Younger.

**Accordingly,**

**IT IS ORDERED** that the Plaintiff's Statement (document 152) is stricken from the record, and the Clerk of the Court shall send it to Sujean Younger at the above address.

November 16, 2009.

  
David C. Bury  
United States District Judge