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6 **UNITED STATES DISTRICT COURT**
78 EASTERN DISTRICT OF CALIFORNIA
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10 CHRISTOPHER S. RIDER,

CASE NO. 1:07-cv-01516-GBC (PC)

11 v. Plaintiff,

ORDER VACATING TELEPHONIC TRIAL
CONFIRMATION HEARING
(Doc. 57)

12 YATES, et al.,

Telephonic Trial Confirmation
Hearing: VACATED

13 Defendants.

14 ORDER DIRECTING PLAINTIFF TO
CLARIFY PRETRIAL STATEMENT
REGARDING INTENTION TO CALL
WITNESSES
(Doc. 60)15 ORDER DENYING MOTION FOR
SETTLEMENT
16 / (Doc. 63)
1718 **Telephonic Trial Confirmation Hearing**19 This is a civil rights action filed pursuant to 42 U.S.C. § 1983 by Plaintiff Christopher S.
20 Rider (“Plaintiff”), a state prisoner proceeding pro se. This matter is currently set for a telephonic
21 trial confirmation hearing before the undersigned on January 18, 2011, at 10:00 a.m. in Courtroom
22 7. The telephonic trial confirmation hearing scheduled for January 18, 2011 is HEREBY
23 VACATED. The pretrial order will be based on the parties’ pretrial statements and relevant motions
24 filed by the parties.25 **Clarification Regarding Plaintiff’s Intention to Call Witnesses**26 On July 15, 2010, Plaintiff submitted a pretrial statement which indicated his desire to call
27 witnesses. However, it is unclear to the Court whether Plaintiff intends to call only the Defendants’
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1 witnesses. The Court reminds Plaintiff that the second scheduling order sent on May 12, 2010,
2 describes necessary actions that the Plaintiff must take if he wishes to call incarcerated witnesses or
3 involuntary witnesses and the deadlines that the Plaintiff needed to meet in order to be allowed to
4 call such witnesses. Therefore, the Court DIRECTS Plaintiff to submit a statement clarifying
5 whether he plans to call witnesses only from those which the Defendants call or whether the Plaintiff
6 wishes to call additional incarcerated or involuntary witnesses within twenty (20) days from the date
7 of service of this order.

8 **Request for Five Million Dollar Settlement**

9 On October 20, 2010, Plaintiff filed a motion indicating his willingness to settle the case for
10 \$5,000,000.00. Plaintiff indicated that Defendants have not responded to his settlement offer.
11 Plaintiff's motion for settlement is DENIED. Such denial, however, does not preclude the parties
12 from engaging in settlement negotiations on their own initiative.

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14 Accordingly, it is HEREBY ORDERED that:

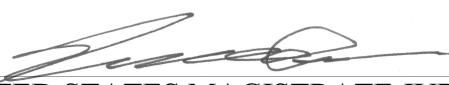
15 1. The telephonic trial confirmation hearing scheduled for January 18, 2011 is
16 HEREBY VACATED;

17 2. Within twenty (20) days from the date of service of this order, Plaintiff is
18 DIRECTED to submit a statement clarifying whether he plans to call witnesses only
19 from those which the Defendants call or whether the Plaintiff wishes to call
20 additional incarcerated or involuntary witnesses;

21 3. Plaintiff's motion for settlement is DENIED.

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25 IT IS SO ORDERED.

26 Dated: December 6, 2010

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28 UNITED STATES MAGISTRATE JUDGE