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4 UNITED STATES DISTRICT COURT  
5 EASTERN DISTRICT OF CALIFORNIA  
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7 ESS'N AUBERT,

8 Plaintiff,

9 vs.

10 C/O KEVIN ELIJAH and C/O MARIO  
11 GARCIA,

12 Defendants.

1:07-cv-01629-LJO-GSA-PC

ORDER DENYING MOTION FOR  
SETTLEMENT CONFERENCE  
(Doc. 84.)

13 Ess'n Aubert is a state prisoner proceeding pro se with this civil rights action pursuant  
14 to 42 U.S.C. §1983. This case is scheduled for jury trial on October 29, 2013 at 8:30 a.m. in  
15 Courtroom 4, before the Honorable Lawrence J. O'Neill.

16 On May 3, 2013, Plaintiff filed a motion to schedule a settlement conference in this  
17 action. (Doc. 84.) Plaintiff asserts that he has sent correspondence to Defendants to make  
18 arrangements for a telephonic conference to discuss settlement.

19 The Court shall not require Defendants to attend a settlement conference at this stage of  
20 the proceedings. On April 30, 2013, Defendants notified the Court that they are not interested  
21 in a settlement conference in this case, and on May 2, 2013, the Court scheduled this case for  
22 trial. (Docs. 82. 83.) Therefore, Plaintiff's motion shall be denied.

23 Accordingly, IT IS HEREBY ORDERED that Plaintiff's motion for a settlement  
24 conference, filed on May 3, 2013, is DENIED.

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28 IT IS SO ORDERED.

Dated: May 6, 2013

/s/ Gary S. Austin  
UNITED STATES MAGISTRATE JUDGE

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