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8 UNITED STATES DISTRICT COURT  
9 EASTERN DISTRICT OF CALIFORNIA  
10 FRESNO DIVISION  
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12 CHARLES AUSTIN PARKS,  
13 CDCR #K-72151,

14 Plaintiff,

15 v.

16 R. TAIT, et al.,

17 Defendants.  
18

Case No. 08-CV-1031-H (JMA)

**ORDER GRANTING IN PART  
DEFENDANTS' MOTION TO MODIFY  
DISCOVERY AND SCHEDULING  
ORDER [Doc. 69]**

19 Defendants' motion to modify discovery and scheduling order, which seeks to  
20 continue the Mandatory Settlement Conference to a date forty-five (45) days after  
21 disposition of Defendants' pending motion for partial summary judgment, is **GRANTED**  
22 **IN PART**. The Mandatory Settlement Conference, currently scheduled for July 22,  
23 2010, is continued to **August 12, 2010 at 10:00 a.m.** The conference will be held  
24 telephonically. The parties shall submit settlement statements **directly** to Magistrate  
25 Judge Adler's chambers no later than **August 5, 2010**.<sup>1</sup> The parties may either submit  
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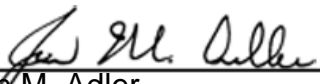
27 <sup>1</sup>Statements under 20 pages in length, including attachments and exhibits, may be  
28 delivered directly to chambers (940 Front Street, Room 1165, San Diego, CA 92101), e-mailed  
to [efile\\_adler@casd.uscourts.gov](mailto:efile_adler@casd.uscourts.gov), or faxed to (619) 702-9939. Statements exceeding 20  
pages in length, including attachments and exhibits, must be delivered directly to chambers.

1 confidential settlement statements or may exchange their settlement statements. Each  
2 party's settlement statement shall set forth the party's statement of the case, identify  
3 controlling legal issues, concisely set out issues of liability and damages, and shall set  
4 forth the party's settlement position, including the last offer or demand made by that  
5 party, and a separate statement of the offer or demand the party is prepared to make at  
6 the settlement conference. **The settlement conference briefs shall not be filed with**  
7 **the Clerk of the Court.**

8 Counsel for Defendants shall be responsible for making all arrangements in  
9 advance for Plaintiff to appear telephonically, and shall contact Plaintiff at the time of the  
10 conference and initiate a joint call to the undersigned's chambers at (619) 557-5585.  
11 Counsel for Defendants shall arrange to have a representative of the California  
12 Department of Corrections and Rehabilitation on telephone standby at the time of the  
13 conference.

14 **IT IS SO ORDERED.**

15 DATED: July 16, 2010

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17 Jan M. Adler  
18 U.S. Magistrate Judge  
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