

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF CALIFORNIA

CESAR URIBE,

CASE NO. 1:08-cv-01285-SMS PC

Plaintiff,

ORDER SCHEDULING TELEPHONIC  
SETTLEMENT CONFERENCE AND  
REQUIRING PARTIES TO SUBMIT  
CONFIDENTIAL SETTLEMENT  
STATEMENTS

v.

J. McKESSON, et al.,

Defendants.

Settlement Conference: May 19, 2011, at  
11:00 a.m. in  
Courtroom 9 (DLB)

\_\_\_\_\_ /

Plaintiff Cesar Uribe (“Plaintiff”) is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. On April 28, 2011, a telephonic hearing was held before the undersigned. Within ten days Defendants were to contact the Court to indicate if they were amenable to settlement. On May 5, 2011, Defendants indicated that they are agreeable to settlement discussions. Therefore, a telephonic settlement conference shall be scheduled for May 19, 2011, at 11:00 a.m. before the Honorable Dennis L. Beck. The parties may appear telephonically for the settlement conference. Unless otherwise permitted in advance by the Court, the attorney(s) who will try the case shall appear at the mandatory settlement conference with the person or persons having full authority to negotiate and settle the case, on any terms, at the conference.

On or before **May 16, 2011**, the parties shall submit directly to the settlement conference judge’s chambers a confidential settlement conference statement.<sup>1</sup> This statement should not be filed

\_\_\_\_\_

<sup>1</sup>The Court has received Plaintiff’s second amended confidential settlement statement.

1 with the Clerk's Office and should not be served on the other party. It should be mailed directly to  
2 chambers at the following address: **Chambers of Magistrate Judge Dennis L. Beck, 2500 Tulare**  
3 **Street, Suite 1501, Fresno, California, 93721.** Each statement shall be clearly marked  
4 "CONFIDENTIAL" with the date and time of the mandatory settlement conference indicated  
5 prominently. The parties are urged to request the return of their statements. If such request is not  
6 made, the Court will dispose of the statements.

7 The Confidential Settlement Conference Statement shall include the following:

- 8 A. A brief statement of the facts of the case;
- 9 B. The relief sought; and
- 10 C. The party's position on settlement, including realistic settlement expectations, present  
11 demands and offers, and a history of past settlement discussions, offers, and demands.

12 Defendants shall include an estimate of the cost and time to be expended for further pretrial  
13 and trial matters.

14 Accordingly, the Court HEREBY ORDERS as follows:

- 15 1. This matter is set for telephonic settlement conference before the Honorable Dennis  
16 L. Beck on **May 19, 2011 at 11:00 a.m.** in Courtroom 9 (DLB);
- 17 2. Counsel for Defendants is required to arrange for the participation of Plaintiff in the  
18 telephonic trial confirmation hearing and to initiate the telephonic hearing at **(559)**  
19 **499-5670;** and
- 20 3. The parties shall submit confidential settlement statements as described in this order  
21 on or before **May 16, 2011.**

22 IT IS SO ORDERED.

23 **Dated: May 6, 2011**

24 /s/ Sandra M. Snyder  
25 UNITED STATES MAGISTRATE JUDGE  
26  
27  
28