

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

GEORGE H. ROBINSON,	CASE NO. 1:08-cv-01380-AWI-BAM PC
Plaintiff,	ORDER DENYING PLAINTIFF’S REQUEST
v.	FOR STATUS CONFERENCE AND
	SETTLEMENT CONFERENCE
D. ADAMS, et al.,	(ECF No. 128)
Defendants.	

Plaintiff George H. Robinson (“Plaintiff”) is a state prisoner proceeding pro se in this civil rights action pursuant to 42 U.S.C. § 1983. This action was filed on September 11, 2008. On May 27, 2011, the Court issued an order granting in part and denying in part Plaintiff’s motion to compel and denying Plaintiff’s motion for sanctions and denying Plaintiff’s motion for a status conference and motion to conduct further discovery. (ECF No. 109.) Plaintiff filed motions for reconsideration on July 1, 2011; July 15, 2011; and July 25, 2011, that are currently pending decision by the District Court. (ECF No. 113, 115, 116.) On August 31, 2011, Plaintiff filed a motion to schedule pretrial and trial dates. (ECF No. 120.) Plaintiff’s motion was denied on September 7, 2011, and Plaintiff was informed that once the District Court Judge has decided his motions for reconsideration a further scheduling order would issue. (ECF No. 122.) Plaintiff filed a motion for clarification and modification of the order for incamera review on September 15, 2011.¹ (ECF No. 125.) Defendants filed a motion for a protective order on October 3, 2011. (ECF No. 125.) On November 14, 2011,

¹The Court will address this motion once the District Court rules on Plaintiff’s motions for reconsideration.

1 Plaintiff filed a motion for a telephonic conference, status conference and settlement conference.
2 (ECF No. 128.)

3 The Federal Rules of Civil Procedure authorize settlement discussions at any pretrial
4 conference. Fed.R.Civ.P. 16(c)(9). While federal courts have the authority to require the parties to
5 engage in settlement conferences, they have no authority to coerce settlements. Goss Graphic
6 Systems, Inc. v. DEV Industries, Inc., 267 F.3d 624, 627 (7th Cir. 2001.) Defendants have not
7 indicated to the Court that they are willing to participate in a settlement conference. No settlement
8 conference will be scheduled until such time as *both* parties agree to participate in one. Plaintiff is
9 advised that this order does not preclude the parties from discussing settlement.

10 At this stage of the proceedings, the Court finds it unnecessary to conduct a status conference.
11 Plaintiff's motions for reconsideration are addressed to the District Court and until the District Court
12 resolves the motions for reconsideration, there are no issues to be addressed at a hearing.

13 Accordingly, Plaintiff's motion for a telephone conference, status conference, and settlement
14 conference, filed November 14, 2011, is DENIED.

15 IT IS SO ORDERED.

16 **Dated: March 2, 2012**

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE