(PC) Robinson v	. Adams, et al.	Doc.	
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8	UNITED S	UNITED STATES DISTRICT COURT	
9	EASTERN I	DISTRICT OF CALIFORNIA	
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11	GEORGE H. ROBINSON,) Case No.: 1:08-cv-01380-AWI-BAM PC	
12	Plaintiff,	 ORDER REGARDING PLAINTIFF'S EX PARTE REQUEST FOR A SETTLEMENT CONFERENECE AND REQUIRING DEFENDANTS TO NOTIFY COURT WHETHER A SETTLEMENT CONFERENCE WOULD BE BENEFICIAL (ECF No. 209) 	
13	V.		
14	D. G. ADAMS, et al.,		
15	Defendants.		
16) TWENTY-ONE DAY DEADLINE	
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18	Plaintiff George H. Robinson ("Pla	aintiff") is a state prisoner proceeding pro se and in forma	
19	pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. This action proceeds on Plaintiff's complaint against Defendants David, Miranda, Melo, Garcia, Mendoza and Masiel for use of excessive force in violation of the Eighth Amendment; against Defendants Adams and Ruiz for failure to protect in violation of the Eighth Amendment; and against Defendants Martinez, David, Miranda		
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23	and Garcia for assault and battery in violation of state law. A jury trial is scheduled for March 10,		
24	2015. On April 28, 2014, Plaintiff filed an ex parte request that this matter be set for a settlement conference. (ECF No. 209.) The Court is able to refer cases for mediation before a United States Magistrate Judge. A settlement conference will only be set if the parties are willing to make a		
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meaningful attempt to resolve this action and are willing to compromise. Settlement conferences may be held by video conference or in person at the court. Defendants shall notify the Court whether they believe, in good faith, that settlement in this case is a possibility and whether they are interested in having a settlement conference scheduled by the Court.

If so, Defendants' counsel shall notify the Court whether there are security concerns that would prohibit scheduling a settlement conference. If security concerns exist, counsel shall notify the Court whether those concerns can be adequately addressed if Plaintiff is transferred for settlement only and then returned to prison for housing. Counsel shall also notify the Court whether video capabilities at Plaintiff's facility exist and are available.

Accordingly, within twenty-one (21) days from the date of service of this order, Defendants shall file a written response to Plaintiff's request and this order. If a settlement conference is set by the Court, then the Court will issue a separate order indicating each of the parties' responsibilities regarding the settlement conference.

IT IS SO ORDERED.

Dated: August 13, 2014

/s/ Barbara A. McAuliff
UNITED STATES MAGISTRATE JUDGE