

1 On September 28, 2016, Plaintiff filed a notice stating that his settlement
2 conference statement was submitted in response to an earlier order which did not call for
3 the information the undersigned had required. (ECF No. 238; See ECF No. 214.) Plaintiff
4 also explained that his submission predated his receipt of the undersigned's order and
5 its specific requests. Finally, Plaintiff reiterated his intent not to participate in the
6 settlement conference in person, and again asked to appear by telephonic or video
7 conference.

8 Accordingly, the Court concludes, and issues this order to note, that Plaintiff's
9 failure to comply with the Court's order regarding the content of the settlement
10 conference statement was attributable to delays within the prison mail system and not to
11 any fault or neglect on the part of Plaintiff. Nonetheless, the settlement conference was
12 cancelled for the reasons stated.

13 The Court's order denying as moot Plaintiff's motions (ECF Nos. 223 & 231) for
14 telephonic or video conference stands. (ECF No. 239.) Given Plaintiff's objections to
15 personal participation in a voluntary settlement conference outside the prison, no further
16 settlement conferences will be scheduled in this case by the undersigned.

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18 IT IS SO ORDERED.

19 Dated: October 3, 2016

/s/ Michael J. Seng
20 UNITED STATES MAGISTRATE JUDGE
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