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5 **UNITED STATES DISTRICT COURT**
6 **EASTERN DISTRICT OF CALIFORNIA**
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8 LOUIS BRANCH,

9 Plaintiff,

10 v.

11 D. UMPHENOUR,

12 Defendant.

Case No. 1:08-cv-01655-SAB (PC)

ORDER APPOINTING LIMITED
PURPOSE COUNSEL FOR SETTLEMENT
CONFERENCE ON MAY 1, 2023

(ECF No. 401)

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14 Louis Branch (“Plaintiff”), a state prisoner proceeding *pro se* and *in forma pauperis*, filed
15 this civil rights action pursuant to 42 U.S.C. § 1983.

16 This case is currently set for settlement conference on May 1, 2023, before Magistrate
17 Judge Barbara A. McAuliffe.

18 On April 18, 2023, Plaintiff filed a request for the appointment of pro bono to assist in
19 the settlement conference on May 1, 2023. (ECF No. 401.)

20 Although this Court’s number of available voluntary counsel is very limited, after
21 significant effort, the Court has found pro bono counsel available to assist Plaintiff in the
22 settlement conference scheduled on May 1, 2023. Patrick S. Schoenburg has been selected from
23 the Court’s Pro Bono Attorney Panel to represent Plaintiff as limited purpose counsel and has
24 agreed to be appointed. However, due to time constraints and the limited number of counsel
25 available to assist through jury trial, pro bono counsel’s participation in this matter is limited
26 only to the settlement conference and will terminate after the settlement conference. Therefore,
27 if the case does not settle, counsel will not assist Plaintiff in the jury trial scheduled on June
28 13, 2023. Counsel Schoenburg and Deputy Attorney General Matthew Wilson shall

1 communicate prior to the May 1, 2023, settlement conference in order to exchange information
2 necessary for participation in the conference.

3 Accordingly, IT IS HEREBY ORDERED that:

- 4 1. Patrick S. Schoenburg is appointed as limited purpose counsel for Plaintiff in the above
5 titled matter. This appointment is for the limited purpose of assisting Plaintiff with the
6 settlement conference set for May 1, 2023.
- 7 2. Patrick S. Schoenburg's appointment will terminate following the settlement conference.
- 8 3. Appointed counsel shall notify Sujean Park via email at spark@caed.uscourts.gov if he
9 has any questions related to the appointment.
- 10 4. The Clerk of the Court is directed to serve a copy of this order upon Patrick S.
11 Schoenburg, Wood Smith Henning & Berman LLP, 7108 N. Fresno St., Suite 250,
12 Fresno, CA 93720.

13 IT IS SO ORDERED.

14 Dated: April 20, 2023

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17 UNITED STATES MAGISTRATE JUDGE
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