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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ANDREW R. LOPEZ,
Plaintiff,
v.
FLOREZ, et al.,
Defendants.

1:08-cv-01975 LJO JLT (PC)
ORDERING REQUESTING CONFIDENTIAL
STATEMENTS RE: CASE SELECTION FOR
PRISONER SETTLEMENT PROGRAM
FIFTEEN-DAY DEADLINE

Plaintiff, Andrew R. Lopez, is a state prisoner proceeding pro se and in forma pauperis with a civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff alleges that Defendants Reed and Flores provided him with inadequate medical care in violation of the Eighth Amendment and committed medical malpractice when they delayed in distributing his post-operative pain medication. (See Doc. 23.) Plaintiff and Defendants filed cross-motions for summary judgment. (Docs. 127, 148.) Findings and Recommendations were issued and was adopted in full which the Court granted Plaintiff's and denied Defendants' motions. (Docs. 191, 196.)

To determine whether this matter is amenable to settlement, no later than 15 days from the date of service of this order, the parties to this action SHALL submit a confidential statement as described below. The confidential statements shall not be served on the opposing party or filed with the court, but instead, delivered by mail, fax, e-mail or personal delivery to the court's Alternative Dispute Resolution ("ADR") division at the address, fax number, or e-mail address

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2 below and marked "Confidential." Such statements SHALL be limited to five pages and shall
3 include the following:

- 4 1. The party's assessment of whether the instant action is of the type that would
5 benefit from a settlement proceeding;
- 6 2. The party's assessment of what factors, if any, will prevent settlement of this
7 matter prior to trial; and
- 8 3. Any additional information the court may find useful in determining whether to set
9 this matter for a settlement conference.

10 Should the Court determine this action to be appropriate for referral to the Prisoner
11 Settlement Program, the Court will set this matter for a settlement conference before a magistrate
12 judge.

13 Accordingly, IT IS HEREBY ORDERED that:

- 14 1. Within fifteen days from the date of this order, the parties **SHALL** submit
15 confidential settlement statements as set forth above; and
- 16 2. The Clerk of the Court is directed to send a copy of this order to:
17 ADR Division, Attention: Sujean Park
18 U.S. District Court
19 501 I Street, Suite 4-200
20 Sacramento, CA 95814
21 Fax: (916) 930-4224
22 email: spark@caed.uscourts.gov

23 IT IS SO ORDERED.

24 Dated: November 26, 2013

25 /s/ Jennifer L. Thurston
26 UNITED STATES MAGISTRATE JUDGE
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