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8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA
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11 JOSHUA J. CANTU,

12 Plaintiff,

13 vs.

14 GARCIA, et al.,

15 Defendants.
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1:09-cv-00177-DAD-GSA-PC

ORDER GRANTING PLAINTIFF'S
MOTION FOR RE-SERVICE OF THE
SETTLEMENT AGREEMENT, AND
RESOLVING DEFENDANTS'
MOTION TO ENFORCE
SETTLEMENT AGREEMENT
(ECF Nos. 194, 197.)

ORDER FOR DEFENDANTS TO
SEND SETTLEMENT AGREEMENT
TO PLAINTIFF AT HIS NEW
ADDRESS, WITHIN 10 DAYS

20 Joshua Cantu ("Plaintiff") is a prisoner proceeding pro se with this civil rights action
21 pursuant to 42 U.S.C. § 1983. On July 7, 2016, a settlement conference was held before
22 Magistrate Judge Barbara A. McAuliffe, during which the parties negotiated a settlement
23 agreement.

24 On September 26, 2016, Defendants filed a motion for the Court to enforce the
25 settlement agreement. (ECF No. 194.) Defendants assert that they prepared and mailed the
26 settlement documents to Plaintiff, and on August 23, 2016, for reasons wholly unrelated to the
27 terms of the settlement agreement, Plaintiff advised the Court that he would not sign the
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1 prepared settlement documents. Defendants request the Court to issue an order to enforce the
2 settlement agreement.

3 On October 4, 2016, the Court issued an order requiring Plaintiff to file a response to
4 Defendants' motion. (ECF No. 195.) On October 31, 2016, Plaintiff filed a notice of change of
5 address and a motion to have the settlement agreement mailed to him at his new address. (ECF
6 No. 197.) In his motion, Plaintiff agrees to sign the settlement agreement. (Id. at 2.)

7 Plaintiff's motion shall be granted. Defendants shall mail the settlement agreement to
8 Plaintiff at his new address within 10 calendar days. This order resolves Defendants' motion
9 for the Court to enforce the settlement agreement.

10 Accordingly, IT IS HEREBY ORDERED that:

- 11 1. Plaintiff's motion to have the settlement agreement mailed to him at his new
12 address, filed on October 31, 2016, is GRANTED;
- 13 2. Within 10 calendar days, Defendants shall send the settlement agreement to
14 Plaintiff at his new address; and
- 15 3. This order resolves Defendants' motion for the Court to enforce the settlement
16 agreement, filed on September 26, 2016.

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18 IT IS SO ORDERED.

19 Dated: November 3, 2016

/s/ Barbara A. McAuliffe
20 UNITED STATES MAGISTRATE JUDGE