UNITED STATES DISTRICT COURT EASTERN DISTRICT OF CALIFORNIA

LAMONT SHEPARD,) Case No.: 1:09-cv-00809-BAM (PC)
Plaintiff, v.	ORDER SETTING TELEPHONIC STATUS CONFERENCE AND REQUIRING STATUS REPORT
J. WISE, Defendant.) Telephonic Status Conference: February 7, 2017) Time: 10:00 a.m.)

Plaintiff Lamont Shepard appealed the district court's summary judgment in favor of Defendant J. Wise on claim brought pursuant to 42 U.S.C. § 1983, alleging retaliation for reporting that a corrections officer used excessive force against him. On October 26, 2016, the Court of Appeals for the Ninth Circuit reversed the grant of summary judgment and remanded the matter for trial. The Ninth Circuit issued its mandate on December 19, 2016.

Accordingly, the Court HEREBY ORDERS as follows:

- 1. This matter is set for a telephonic status conference on **February 7, 2017, at 10:00 a.m.** before the undersigned. The parties shall appear by using the following dial-in number and passcode at the time set for the hearing: dial-in number 1-877-411-9748; passcode 3190866. Counsel for Defendant is required to arrange for Plaintiff's participation by contacting the litigation coordinator at the institution where Plaintiff is housed;
- 2. Defense counsel is ordered to confer with Plaintiff and file a joint status report on or before **January 31, 2016**, setting forth the following matters to be addressed at the telephonic status conference:

1	(a) Potential trial dates and related trial issues, including the preparation of pretrial
2	statements and the final pretrial order, a trial confirmation hearing, motions in limine, trial witnesses
3	and evidence, and any other matters the parties wish to raise; and
4	(b) The status of any settlement negotiations between the parties, and whether a
5	Court-ordered settlement conference would be helpful.
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7	IT IS SO ORDERED.
8	Dated: December 20, 2016 /s/ Barbara A. McAuliffe
9	UNITED STATES MAGISTRATE JUDGE
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