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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

RAUL HERNANDEZ,
Plaintiff,

v.

R.D. SMITH, et al.,
Defendants.

Case No. 1:09-cv-00828-AWI-SAB
ORDER DENYING MOTION
ECF NO. 49

Plaintiff Raul Hernandez is appearing pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983.

On October 9, 2014, Plaintiff filed a “Notice of Motion to Revisit Proposal Conference and Settlement.” (ECF No. 49.) Although unclear, Plaintiff appears to request a settlement conference. Defendants have previously indicated that a settlement conference would not be beneficial at this time in part because they intend to file a motion for summary judgment in the near future.

Plaintiff is advised that the Court will not set a settlement conference in this action unless all parties jointly request one. Irrespective of Plaintiff’s desire to settle, the Court has no power to force Defendants to settle. Accordingly, the Court will not set a settlement conference unless both parties file a joint request, signed by both Plaintiff and Defendants, requesting a settlement conference.

1 Based upon the foregoing, Plaintiff's October 9, 2014 motion is DENIED (ECF No. 49).

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3 IT IS SO ORDERED.

4 Dated: October 10, 2014



UNITED STATES MAGISTRATE JUDGE

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