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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

LARRY ZUNIGA,	CASE NO. 1:09-cv-01208-AWI-SMS PC	
Plaintiff,	ORDER DENYING PLAINTIFF’S MOTION FOR	A SETTLEMENT CONFERENCE
v.	(ECF Nos. 38, 39, 40)	
CHRIS JORDAN, et al.,		
Defendants.		

Plaintiff Larry Zuniga (“Plaintiff”) is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. On September 1, 2011, an order issued requiring the parties to notify the Court if they were interested in settlement negotiations. On September 15, 2011, Plaintiff filed a motion for a settlement conference and Defendants’ filed a response stating that settlement is not likely and they are not interested in settlement negotiations.

The Federal Rules of Civil Procedure authorize settlement discussions at any pretrial conference. Fed.R.Civ.P. 16(c)(9). While federal courts have the authority to require the parties to engage in settlement conferences, they have no authority to coerce settlements. Goss Graphic Systems, Inc. v. DEV Industries, Inc., 267 F.3d 624, 627 (7th Cir. 2001.) Defendants have indicated to the Court that they are unwilling to participate in a settlement conference. No settlement conference will be scheduled until such time as *both* parties agree to participate in one.

Accordingly, Plaintiff’s motion for a settlement conference shall be DENIED.

1 IT IS SO ORDERED.

2 **Dated:** September 28, 2011

/s/ Sandra M. Snyder
UNITED STATES MAGISTRATE JUDGE

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