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**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

KEITH ZAVALA,

Plaintiff,

v.

CHRIS CHRONES, et al.,

Defendants.

CASE NO. 1:09-cv-01352-BAM PC

ORDER REQUIRING PARTIES TO NOTIFY  
COURT WHETHER A SETTLEMENT  
CONFERENCE WOULD BE BENEFICIAL

TWENTY-DAY DEADLINE

Plaintiff Keith Zavala is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. This action is proceeding on the second amended complaint, filed May 24, 2010, against Defendants C. Chrones, S. Kays, D. Smith, S. Chandler, C. Martin, and J. Soto for deliberate indifference in violation of the Eighth Amendment, and is currently set for trial on February 11, 2013.

The Court is able to refer cases for mediation before a United States Magistrate Judge. A settlement conference will only be set if both of the parties are willing to make a meaningful attempt to resolve this action and are willing to compromise. Settlement conferences may be held in person or by video conference at the Court. Plaintiff and Defendants shall notify the Court whether they believe, in good faith, that settlement in this case is a possibility and whether they are interested in having a settlement conference scheduled by the Court.<sup>1</sup>

If the parties wish to have a settlement conference scheduled, Defendants' counsel shall

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<sup>1</sup> The parties may wish to discuss the issue by telephone in determining whether they believe settlement is feasible.

1 notify the Court whether there are security concerns which would prohibit scheduling a settlement  
2 conference. If security concerns exist, counsel shall notify the Court whether those concerns can be  
3 adequately addressed if Plaintiff is transferred for settlement only and then returned to prison for  
4 housing.

5 Accordingly, within **twenty (20) days** from the date of service of this order, Plaintiff and  
6 Defendants shall file a written response to this order. If a settlement conference is set by the Court,  
7 the Court will issue a separate order indicating each of the parties' responsibilities regarding the  
8 settlement conference.

9 IT IS SO ORDERED.

10 **Dated: September 25, 2012**

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