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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

KEVIN E. FIELDS,

Plaintiff,

v.

J. TUCKER, et al.,

Defendants.

Case No. 1:09-cv-01771-AWI-DLB PC

**ORDER DIRECTING PARTIES TO
SUBMIT CONFIDENTIAL SETTLEMENT
STATEMENTS FOR SELECTION TO
CASE SETTLEMENT PROGRAM**

Plaintiff Kevin E. Fields (“Plaintiff”) is a California state prisoner proceeding pro se and in forma pauperis in this civil action pursuant to 42 U.S.C. § 1983. This action proceeds on Plaintiff’s Eighth Amendment claim regarding unsanitary conditions in his cell against Defendants Hernandez, Molina, Marsh, and Tucker, and on Plaintiff’s Eighth Amendment claim regarding inadequate temperature in his cell against Defendants Hernandez, Molina, and Marsh.

The parties to this action shall each, no later than fifteen (15) days from the date of the order, submit confidential statements as described below. The confidential statements shall not be served on the opposing party or filed with the Court, but instead, delivered by mail, fax, email or personal delivery to the Court’s Alternative Dispute Resolution (ADR) division at the address, fax number or email address below and marked “Confidential.”

ADR Division, Attention: Sujean Park
US District Court
501 I Street, Suite 4-200
Sacramento, CA 95814
Fax: (916) 491-3912
email: spark@caed.uscourts.gov

1 Such statements shall be limited to five (5) pages and shall include the following:

- 2 1) The party's assessment of whether the instant action is of the type that would benefit
3 from a settlement proceeding;
- 4 2) The party's assessment of what factors, if any, will prevent settlement of this matter prior
5 to trial; and
- 6 3) Any additional information the court may find useful in determining whether to set this
7 matter for a settlement conference.

8 Should the Court determine this action to be appropriate for referral to the Prisoner
9 Settlement Program, the Court will set this matter for a settlement conference before a magistrate
10 judge or district judge.

11 IT IS SO ORDERED.

12
13 Dated: August 15, 2012

/s/ Dennis L. Beck
UNITED STATES MAGISTRATE JUDGE