## 6 | 7 | 8 | UNITED STATES DISTRICT COURT 9 | EASTERN DISTRICT OF CALIFORNIA

DUBRIN et al.,	) Case No.: 1:11-cv-01484 AWI JLT
Plaintiffs,	) ORDER TO TONY HALL TO NOTIFY THE
V.	<ul><li>) COURT WHETHER HE WILL PARTICIPATE IN</li><li>) THE SETTLEMENT OR WHETHER HE WILL</li></ul>
MICHAEL STAINER, et al.,	PROSECUTE HIS CASE ON HIS OWN
Defendants.	) (Doc. 144)
	, )

On November 23, 2016, plaintiff, Tony Hall, notified the Court that he did not wish to participate in the settlement. (Doc. 144) His attorney has clarified that Mr. Hall's concern over the settlement is that he does not wish his settlement proceeds to apply to the amount he owes in restitution. (Doc. 151) Notably, his options are limited: 1. he may participate in the settlement and his proceeds will apply to the amount he owes in restitution, or 2. he may refuse to participate in the settlement. If he chooses this latter option, the Court will bifurcate off Mr. Hall's action and relieve Mr. Ravis as counsel of record. Mr. Hall would then be obligated to prosecute this case on his own or will have to retain an attorney to handle the litigation. In the event that Mr. Hall succeeds in proving his case, any amounts he receives in settlement or after a jury verdict will first be used to pay his restitution. If there is any amount remaining, he will receive the balance. Mr. Hall is advised that the Court lacks the authority to not relieve him of his obligation to pay his restitution. Thus, the Court ORDERS:

1	1. <b>No later than January 13, 2017</b> , Mr. Hall <b>SHALL</b> notify the Court which of the
2	options he chooses; whether he will participate in the settlement or whether he will refuse to
3	participate in the settlement and, instead, will choose to prosecute his case on his own;
4	2. <u>If Mr. Hall fails to respond to the Court by the deadline, the Court will hold him</u>
5	to the settlement agreement that he signed.
6	
7	IT IS SO ORDERED.
8	Dated: December 27, 2016 /s/ Jennifer L. Thurston
9	UNITED STATES MAGISTRATE JUDGE
10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25 26	
26   27	
28	