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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

MICHAEL J. PAYAN,)	1:13cv00807 LJO DLB PC
)	
Plaintiff,)	ORDER REQUIRING DEFENDANTS TO
)	RESPOND TO PLAINTIFF’S MOTION FOR
vs.)	SETTLEMENT CONFERENCE
)	
H. TATE, et al.,)	(Document 39)
)	
Defendants.)	

Plaintiff Michael J. Payan (“Plaintiff”), a state prisoner proceeding pro se and in forma pauperis, filed this civil rights action on May 28, 2013. This action is proceeding on the following cognizable claims: (1) retaliation in violation of the First Amendment by Defendants Bingamon, Tate and Vu; and (2) deliberate indifference to a serious medical need in violation of the Eighth Amendment against Defendants Bingamon, Tate, Vu, Sheisha and Joaquin.

Findings and Recommendations that Defendants’ motion to dismiss the Eighth Amendment claim pursuant to Federal Rule of Civil Procedure 12(b)(6) are pending.

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