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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

MICHAEL J. PAYAN,)	1:13cv00807 LJO DLB PC
)	
Plaintiff,)	ORDER GRANTING PLAINTIFF'S
)	MOTION FOR SETTLEMENT
vs.)	CONFERENCE
)	(Document 39)
)	
H. TATE, et al.,)	ORDER EXTENDING TIME FOR
)	DEFENDANTS TO FILE RESPONSIVE
Defendants.)	PLEADING

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.

On November 25, 2014, the Court adopted Findings and Recommendations and denied Defendants’ motion to dismiss. Defendants were ordered to file a responsive pleading within thirty (30) days.

On November 12, 2014, Plaintiff filed a motion for a settlement conference. The Court ordered Defendants to inform the Court whether they believed a settlement conference would be beneficial. On December 1, 2014, Defendants indicated that in an effort to avoid the cost of a

1 jury trial, they would “consent to proceeding with a settlement conference.” Defendants also
2 request that the deadline to file a responsive pleading be extended.

3 Based on Defendants’ response, Plaintiff’s motion is GRANTED. The Court will set a
4 settlement conference by separate order.

5 The Court also GRANTS Defendants an extension of time to file a responsive pleading.
6 Defendants SHALL file a responsive pleading within thirty (30) days of the date of the
7 settlement conference, if the case does not settle.
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9 IT IS SO ORDERED.

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11 Dated: December 2, 2014

/s/ Dennis L. Beck
12 UNITED STATES MAGISTRATE JUDGE
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