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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

MICHAEL J. PAYAN,
Plaintiff,
v.
TATE, et al.,
Defendants.

Case No. 1:13-cv-00807 LJO DLB PC
ORDER DENYING PLAINTIFF’S MOTION
FOR SETTLEMENT CONFERENCE
WITHOUT PREJUDICE
(Document 95)

Plaintiff Michael J. Payan (“Plaintiff”) 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 Plaintiff’s October 19, 2015, First Amended Complaint.

The Court’s January 26, 2016, Findings and Recommendations granting in part Defendants’ motion for summary judgment based on exhaustion are pending.

On February 17, 2016, Plaintiff filed a motion for a settlement conference. The Court ordered Defendants to respond to the request, and on March 3, 2016, they filed their report.

Defendants believe that settlement discussions are premature, given the pending Findings and Recommendations, the stay of discovery and the new claims that Plaintiff has asserted. In light of these issues, Defendants have not had an opportunity to evaluate settlement.

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