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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

STEVEN R. EDWARDS,  
Plaintiff,  
vs.  
A. DESFOSSE, et al.,  
Defendants.

1:13-cv-01013-AWI-GSA-PC  
ORDER REQUIRING PARTIES TO  
NOTIFY COURT WHETHER A  
SETTLEMENT CONFERENCE WOULD  
BE BENEFICIAL  
THIRTY-DAY DEADLINE

**I. BACKGROUND**

Steven R. Edwards (“Plaintiff”) is a state prisoner proceeding pro se and in forma pauperis with this civil rights action pursuant to 42 U.S.C. § 1983. This case now proceeds with the Complaint filed on July 1, 2013, on Plaintiff’s Eighth Amendment claims, against defendants C/O A. Desfosse, C/O E. Saldivar, and C/O S. Zaccagnini for use of excessive force, and against defendant Sergeant T. Verbeek for failure to decontaminate Plaintiff. (Doc. 1.)

On June 11, 2014, the Court issued a Discovery/Scheduling Order in this action, establishing a deadline of February 11, 2015 for the parties to conduct discovery, and a deadline of April 20, 2015 for the filing of pretrial dispositive motions. (Doc. 27.) The pretrial deadlines have now expired. No dispositive motions were filed. At this stage of the proceedings, the Court ordinarily proceeds to schedule the case for trial.

1 **II. SETTLEMENT PROCEEDINGS**

2 The Court is able to refer cases for mediation before a participating United States  
3 Magistrate Judge. Settlement conferences are ordinarily held in person at the Court or at a  
4 prison in the Eastern District of California. Plaintiff and Defendants shall notify the Court  
5 whether they believe, in good faith, that settlement in this case is a possibility and whether they  
6 are interested in having a settlement conference scheduled by the Court.<sup>1</sup>

7 Defendants' counsel shall notify the Court whether there are security concerns that  
8 would prohibit scheduling a settlement conference. If security concerns exist, counsel shall  
9 notify the Court whether those concerns can be adequately addressed if Plaintiff is transferred  
10 for settlement only and then returned to prison for housing.

11 **III. CONCLUSION**

12 Based on the foregoing, IT IS HEREBY ORDERED that within **thirty (30) days** from  
13 the date of service of this order, Plaintiff and Defendants shall file a written response to this  
14 order.<sup>2</sup>

15 IT IS SO ORDERED.

16 Dated: May 16, 2015

17 /s/ Gary S. Austin  
18 UNITED STATES MAGISTRATE JUDGE

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26 <sup>1</sup> The parties may wish to discuss the issue by telephone in determining whether they believe settlement  
is feasible.

27 <sup>2</sup> The issuance of this order does not guarantee referral for settlement, but the Court will make every  
28 reasonable attempt to secure the referral should both parties desire a settlement conference.