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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

TRACY STEWART,

 Plaintiff,

 v.

K. HOLLAND, et al.,

 Defendants.

Case No.: 1:14-cv-00322-DAD-BAM (PC)

ORDER DENYING PLAINTIFF’ S MOTION
FOR SANCTIONS AGAINST DEFENDANTS
FOR VIOLATING ORDERS, DENYING
PLAINTIFF A SETTLEMENT OR FAIR
SETTLEMENT CONFERENCE

(ECF No. 55)

Plaintiff Tracy Stewart is a state prisoner who is currently proceeding *pro se* and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983.

On February 8, 2018, a settlement conference was held before Magistrate Judge Stanley A. Boone in this matter. (ECF No. 52.) The case did not settle.

Currently before the Court is Plaintiff’s motion for sanctions for Defendants violation of orders issued by the Court, denying Plaintiff a settlement or fair settlement conference, filed on February 26, 2018. (ECF No. 55.) Plaintiff asserts that Defendants violated this Court’s orders because they did not make a sufficient offer at the conference, based on their assertion of a defense to some of Plaintiff’s claims. Thus, Plaintiff asserts that Defendants did not come with sincere intentions to settle all claims, and the conference wasted time and resources. Plaintiff also expresses dissatisfaction with the manner in which the settlement judge conducted negotiations.

Plaintiff has not shown a violation of the Court’s orders, nor does the Court otherwise find sufficient grounds here to sanction Defendants. Full and candid settlement discussions, made in good faith, are encouraged by the Court. The discussion of potential defenses during the

1 settlement conference does not show any bad faith by Defendants. Such discussions commonly
2 occur during settlement negotiations. Further, the specifics of how the conference shall be
3 conducted are for the settlement judge to decide. In sum, Plaintiff has not carried his burden to
4 show that sanctions should be issued here.

5 Accordingly, Plaintiff's motion for sanctions, filed on February 26, 2018 (ECF No. 55), is
6 HEREBY DENIED.

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8 IT IS SO ORDERED.

9 Dated: March 5, 2018

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE

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