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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

OMAR GARCIA, JR.,
Plaintiff,
v.
M. O’RAFFERTY, et al.,
Defendants.

Case No. 1:14-cv-00476-BAM (PC)
**ORDER DENYING REQUEST FOR RULING
ON MOTION TO COMPEL AS MOOT**
**ORDER DIRECTING DEFENDANTS TO
FILE A RESPONSE TO REQUEST FOR
SETTLEMENT CONFERENCE**
(ECF No. 25)
FIFTEEN DAY DEADLINE

Plaintiff Omar Garcia, Jr. (“Plaintiff”) is a state prisoner proceeding pro se and in forma pauperis in this civil rights action under 42 U.S.C. § 1983. This action proceeds against defendants O’Rafferty, Kaious and Doe 1 for excessive force in violation of the Fourteenth Amendment; against defendants Onstott and Doe 1 for failure to intervene in violation of the Fourteenth Amendment; and against defendants O’Rafferty, Kaious, Flores, Avina, Meyers and Ellis for deliberate indifference to serious medical needs in violation of the Fourteenth Amendment (collectively, “Defendants”). Plaintiff filed a first amended complaint on February 16, 2016, which has not been screened. (ECF No. 24.)

On January 4, 2016, Plaintiff filed a motion to compel Defendants’ responses to a request for production of documents. (ECF No. 22). On September 28, 2016, Defendants filed an opposition to this motion. (ECF No. 26.) On October 27, 2016, Plaintiff filed a reply entitled,

1 “closing argument.” (ECF No. 27.) On September 20, 2016, Plaintiff filed a motion for “ruling
2 on Motion to Compel and Motion for Settlement Conference.”

3 On March 17, 2017, the Court issued an order partially granting and partially denying
4 Plaintiff’s motion to compel. (Doc. 29.) Accordingly, Plaintiff’s motion for a ruling on the
5 motion to compel is denied as moot.

6 Plaintiff also requested that the Court schedule a mandatory settlement conference. (Doc.
7 25, p.2.) In light of Plaintiff’s request, Defendants shall notify the Court whether they believe, in
8 good faith, that settlement in this case is a possibility and whether they are interested in having a
9 settlement. Defendants’ counsel shall notify the Court whether there are security concerns that
10 would prohibit scheduling a settlement conference. If security concerns exist, counsel shall notify
11 the Court whether those concerns can be adequately addressed for purposes of the settlement
12 conference.

13 Accordingly, within fifteen (15) days from the date of service of this order, Defendants
14 shall file a written response to this order.

15
16 IT IS SO ORDERED.

17 Dated: March 20, 2017

/s/ Barbara A. McAuliffe
18 UNITED STATES MAGISTRATE JUDGE