

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

TYRONE THOMPSON,  
Plaintiff,  
v.  
VIDURRIA, et al.,  
Defendants.  
Case No.: 1:14-cv-01896-SAB (PC)  
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)  
)  
ORDER DENYING PLAINTIFF'S MOTION FOR  
MANDATORY SETTLEMENT CONFERENCE AS  
PREMATURE  
)  
[ECF No. 34]  
)  
)

Plaintiff Tyrone Thompson is appearing pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983.

Now pending before the Court is Plaintiff's request for the Court to refer this case to the pro se prisoner settlement conference program. Plaintiff's request must be denied as premature.

The Federal Rules of Civil Procedure authorize settlement discussions at any pretrial conference. Fed. R. Civ. P. 16(c)(1). While federal courts have the authority to require the parties to engage in settlement conferences, they have no authority to coerce settlements. Goss Graphic Systems, Inc. v. DEV Industries, Inc., 267 F.3d 624, 627 (7th Cir. 2001).

This action is proceeding on Plaintiff's claim for deliberate indifference to a serious medical need against Defendants Vidurria and Martinez. On June 2, 2015, Defendant Martinez filed a motion to dismiss and Defendant Vidurria filed an answer to the complaint. (ECF Nos. 14, 15.) On September 1, 2015, the undersigned issued Findings and Recommendations to deny Defendant

1 Martinez's motion to dismiss, and Defendant filed objections on October 1, 2015. (ECF Nos. 31, 33.)  
2 The Findings and Recommendations are presently pending before the Court. Thus, a settlement  
3 conference at this time is premature. Plaintiff is advised that if this case survives summary judgment,  
4 the Court may at that time order the parties to participate in a settlement conference as a matter of  
5 course. At this time, however, such an order would be premature, and Plaintiff's motion is DENIED.  
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7 IT IS SO ORDERED.

8 Dated: October 15, 2015



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UNITED STATES MAGISTRATE JUDGE