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**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

PABLO HOLGUIN,  
                    Plaintiff,  
  
          v.  
  
R. WICKS,  
                    Defendant.

Case No.: 1:16-cv-00346-DAD-BAM (PC)  
  
ORDER GRANTING DEFENDANT’S REQUEST  
TO HAVE PLAINTIFF APPEAR AT  
SETTLEMENT CONFERENCE VIA VIDEO-  
CONFERENCE  
  
(ECF No. 44)

Plaintiff Pablo Holguin is a state prisoner appearing pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. This matter proceeds on Plaintiff’s Fourteenth Amendment due process claim against Defendant Wicks based on the alleged denial of Plaintiff’s right to call an identified witness in his defense at his prison disciplinary hearing.

This matter is set for a settlement conference before the undersigned on November 14, 2017, at 9:30 a.m. at the United States Courthouse located at 2500 Tulare Street, Fresno, California. (ECF No. 41.) On September 25, 2017, Defendant filed the instant request to have Plaintiff appear at the settlement conference via telephone conference. (ECF No. 44.) Defense counsel informs the Court that Plaintiff is scheduled for a parole suitability hearing before the Board of Parole Hearing (“BPH”) at CTF-Soledad on November 16, 2017. As a result, Plaintiff will not be allowed to transfer or be transported anywhere that week because of the BPH hearing. Defendant therefore requests that

1 Plaintiff be allowed to appear via videoconference. (Id.) Although Plaintiff has not had an  
2 opportunity to respond to this motion, the Court finds a response unnecessary. Local Rule 230(1).

3 Having considered the request, the Court is persuaded that Plaintiff is unable to be transported  
4 to the courthouse for the settlement conference, but that the parties remain willing to engage in  
5 settlement negotiations. The Court finds good cause in this instance to allow Plaintiff to appear by  
6 video-conference. A separate order and writ of habeas corpus ad testificandum will issue concurrently  
7 with this order.

8 Accordingly, IT IS HEREBY ORDERED that:

- 9 1. Defendant's request to have Plaintiff appear at the November 14, 2017 settlement  
10 conference via video-conference (ECF No. 44) is granted; and
- 11 2. Counsel for Defendants is required to arrange for the participation of Plaintiff by video  
12 conference, and shall contact the Courtroom Deputy at (559) 499-5672 to coordinate the  
13 video-conference no later than October 24, 2017.

14  
15 IT IS SO ORDERED.

16 Dated: September 29, 2017



UNITED STATES MAGISTRATE JUDGE