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

MARK D. FOLEY,  
Plaintiff,  
v.  
RUSLAN LOZOVOY, et al.,  
Defendants.

Case No. 1:16-cv-01119-AWI-SAB (PC)  
  
ORDER SETTING SETTLEMENT  
CONFERENCE ON MARCH 23, 2018

Plaintiff Mark D. Foley is a state prisoner proceeding pro se in this civil rights action pursuant to 42 U.S.C. § 1983. The court has determined that this case will benefit from a settlement conference. Therefore, this case will be referred to Magistrate Judge Michael J. Seng to conduct a settlement conference at the California State Prison, Corcoran (CSP-COR), 4001 King Avenue, Corcoran, CA 93212 on March 23, 2018, at 9:00 a.m. The Court will issue the necessary transportation order in due course.

In accordance with the above, IT IS HEREBY ORDERED that:

1. This case is set for a settlement conference before Magistrate Judge Michael J. Seng on March 23, 2018, at CSP-COR.
2. A representative with full and unlimited authority to negotiate and enter into a binding settlement shall attend in person.

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3. Those in attendance must be prepared to discuss the claims, defenses and damages. The failure of any counsel, party or authorized person subject to this order to appear in person may result in the imposition of sanctions. In addition, the conference will not proceed and will be reset to another date.
4. Defendants shall provide a confidential settlement statement to the following email address: **mjsorders@caed.uscourts.gov**. Plaintiff shall mail his confidential settlement statement to U.S. District Court, 2500 Tulare Street, Fresno, California, 93721, **“Attention: Magistrate Judge Michael J. Seng.”** The envelope shall be marked “Confidential Settlement Statement”. Settlement statements shall arrive no later than **March 16, 2018**. Parties shall also file a Notice of Submission of Confidential Settlement Statement (See Local Rule 270(d)). Settlement statements **should not be filed** with the Clerk of the Court **nor served on any other party**. Settlement statements shall be clearly marked “confidential” with the date and time of the settlement conference indicated prominently thereon.
5. The confidential settlement statement shall be **no longer than five pages** in length, typed or neatly printed, and include the following:
  - a. A brief statement of the facts of the case.
  - b. A brief statement of the claims and defenses, i.e., statutory or other grounds upon which the claims are founded; a forthright evaluation of the parties’ likelihood of prevailing on the claims and defenses; and a description of the major issues in dispute.
  - c. An estimate of the cost and time to be expended for further discovery, pretrial, and trial.
  - d. The party’s position on settlement, including present demands and offers and a history of past settlement discussions, offers, and demands.

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e. A brief statement of each party's expectations and goals for the settlement conference, including how much a party is willing to accept and/or willing to pay.

IT IS SO ORDERED.

Dated: January 19, 2018

  
UNITED STATES MAGISTRATE JUDGE