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

MICHAEL A. WASHINGTON,)	Case No.: 1:16-cv-01439-LJO-BAM (PC)
)	
Plaintiff,)	
)	ORDER DENYING PLAINTIFF’S MOTION TO
v.)	APPEAR FOR THE SETTLEMENT
)	CONFERENCE BY VIDEO OR TELEPHONE
R. HERNANDEZ, et al.,)	
)	[ECF No. 38]
Defendants.)	
)	
)	

Plaintiff Michael A. Washington is appearing pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. This case is currently set for a settlement conference before the undersigned on July 16, 2018 at California State Prison-Corcoran.

Currently before the Court is Plaintiff’s motion to conduct the settlement conference via video or telephone, filed on June 29, 2018. (ECF No. 38.) Plaintiff states that he is enrolled in classes and programs he needs to complete to achieve certifications to be considered by the Board of Parole

Generally, the Court allows inmates to appear telephonically for all pretrial proceedings, however, the Court finds that settlement conference are not productive without the ability to have face to face contact with the participants. Therefore, the Court requires parties to personally appear for settlement conferences. Plaintiff requests that he be allowed to appear by video or telephone, however, the Court’s experience has demonstrated that the California Department of Corrections video conferencing system and telephone system can be unreliable. Therefore, it is insufficient for the purposes of conducting a settlement conference. For these reasons, the Court finds that it is not practicable to allow an inmate to appear by video or telephone conference at a settlement conference.

1 Plaintiff also states that he is concerned the settlement conference will not be productive, as
2 previous informal settlement discussions with defense counsel have not gone well. Now, the Court
3 has been informed that all parties are interested in good-faith settlement negotiations conducted before
4 a judge, and therefore judicial resources are being spent to facilitate discussions here. However, a
5 settlement conference is voluntary in this instance. If Plaintiff chooses not to physically appear at the
6 settlement conference, the parties may continue to conduct settlement discussions without the
7 involvement of the Court.

8 Accordingly, Plaintiff's motion to appear at the settlement conference by video or telephone
9 (ECF No. 38) is HEREBY DENIED.

10
11 IT IS SO ORDERED.

12 Dated: July 2, 2018



13 UNITED STATES MAGISTRATE JUDGE