

1
2
3
4
5
6
7 UNITED STATES DISTRICT COURT
8 EASTERN DISTRICT OF CALIFORNIA
9

10 COLIN M. RANDOLPH,
11 Plaintiff,
12 v.
13 R. LOZOVOY, et al.,
14 Defendants.
15
16

Case No. 1:16-cv-01528-DAD-EPG (PC)
ORDER DENYING PLAINTIFF'S MOTION
FOR SETTLEMENT CONFERENCE
RESCHEDULING
(ECF NO. 36)

17 Colin Randolph ("Plaintiff") is a state prisoner proceeding *pro se* and *in forma pauperis*
18 in this civil rights action filed pursuant to 42 U.S.C. § 1983.

19 A settlement conference was set for April 2, 2018, at 9:30 a.m., before Magistrate Judge
20 Jennifer L. Thurston. (ECF No. 29). On March 27, 2018, Judge Thurston issued a minute
21 order vacating the settlement conference. The minute order stated, "In light of the information
22 contained in the defendants' settlement conference statement that the case is NOT in a
23 settlement posture and due to the failure of the plaintiff to provide a settlement conference
24 statement, the settlement conference set on 4/2/2018 is VACATED." (ECF No. 35).

25 On April 12, 2018, Plaintiff filed a motion for settlement conference rescheduling.
26 (ECF No. 36). Plaintiff asks the Court to reschedule the settlement conference, if the Court
27 feels that having a settlement conference is beneficial or necessary.

28 The Court will deny Plaintiff's motion, without prejudice. It does not appear that a

1 settlement conference would be beneficial at this time. Judge Thurston cancelled the
2 conference in part because information in Defendants' conference statement led her to believe
3 it would not be fruitful.

4 The Court will revisit the issue of setting a settlement conference at the Telephonic
5 Discovery and Status Conference, which is currently set for August 20, 2018. If *all parties*
6 believe that scheduling a settlement conference earlier would be beneficial, they may request a
7 settlement conference by contacting Sujean Park (spark@caed.uscourts.gov) or Michelle
8 Rooney (mrooney@caed.uscourts.gov).

9 The case shall proceed according to the schedule issued February 2, 2018. (ECF No.
10 29)

11 Accordingly, based on the foregoing, it is HEREBY ORDERED that Plaintiff's motion
12 for settlement conference rescheduling is DENIED without prejudice.

13
14 IT IS SO ORDERED.

15 Dated: April 16, 2018

16 /s/ Eric P. Grogan
17 UNITED STATES MAGISTRATE JUDGE
18
19
20
21
22
23
24
25
26
27
28