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

MIKE BAKER,)	Case No.: 1:16-cv-01737-AWI-BAM (PC)
Plaintiff,)	
v.)	ORDER LIFTING STAY OF PROCEEDINGS (ECF No. 38)
E. BEAM, et al.)	
Defendants.)	ORDER DIRECTING DEFENDANTS TO FILE RESPONSIVE PLEADING
)	TWENTY-ONE (21) DAY DEADLINE
)	
)	

Plaintiff Mike Baker is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983. This action currently proceeds on Plaintiff’s second amended complaint as follows: (1) against Defendants Vogel, Caldwell, and Cervantes for deliberate indifference in violation of the Eighth Amendment; (2) against Defendants Vasquez, Vogel, Beam, Cuevas, Caldwell, Cervantes, Huerta, Benevidas, Goree, Cribbs, Diaz, Jarvis, and Pacillas for retaliation in violation of the First Amendment; (3) against Defendants Vasquez, Vogel, Beam, Cuevas, Caldwell, Cervantes, Huerta, and Benevidas for conspiracy; (4) against Defendants Vogel, Beam, Cuevas, Caldwell, Cervantes, Huerta, and Benevidas for denial of access to the courts in violation of the First and Fourteenth Amendments; (5) against Defendants Vogel, Beam, Cuevas, Caldwell, Cervantes, Huerta, and Benevidas for a state law claim for property deprivation under California law; (6) against Defendants Beam, Huerta, and Benevidas for violation of California Civil

1 Code § 52.1; (7) against Defendant Vogel for a state law claim for intentional infliction of emotional
2 distress; and (8) against Defendants Vogel, Caldwell, and Cervantes for a state law claim for negligent
3 infliction of emotional distress. (ECF No. 33.)

4 On September 9, 2019, the Court identified this case as an appropriate case for the post-
5 screening ADR (Alternative Dispute Resolution) project and stayed the action to allow the parties an
6 opportunity to settle their dispute before the discovery process begins. (ECF No. 38.)

7 On November 8, 2019, a settlement conference was conducted before Magistrate Judge Stanley
8 A. Boone. The case did not settle. Therefore, this case is now ready to proceed. Consequently,
9 Defendants Vogel, Diaz, Caldwell, Jarvis, Pacillas, Cribbs, Benevidas, Cuevas, Beam, Cervantes,
10 Huerta, Goree, and Vasquez are directed to file an answer or other responsive pleading to Plaintiff's
11 second amended complaint within twenty-one (21) days from the date of service of this order.

12 Accordingly, IT IS HEREBY ORDERED that:

- 13 1. The stay of this action, (ECF No. 38), is LIFTED; and
- 14 2. Defendants Vogel, Diaz, Caldwell, Jarvis, Pacillas, Cribbs, Benevidas, Cuevas, Beam,
15 Cervantes, Huerta, Goree, and Vasquez are directed to file a responsive pleading within
16 **twenty-one (21) days** from the date of service of this order.

17
18 IT IS SO ORDERED.

19 Dated: November 13, 2019

/s/ Barbara A. McAuliffe
20 UNITED STATES MAGISTRATE JUDGE