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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

LENDWARD ALTON MIXON, JR.,  
Plaintiff,  
v.  
H. TYSON, et al.,  
Defendants.

No. 1:16-cv-01868-DAD-BAM (PC)  
ORDER SETTING SETTLEMENT  
CONFERENCE ON NOVEMBER 16, 2018  
DATE: **November 16, 2018**  
TIME: **10:00 a.m.**  
PLACE: **Courtroom 9, before the Honorable  
Stanley A. Boone**

Plaintiff Lendward Alton Mixon, Jr., is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983.

On May 24, 2018, this matter was identified as an appropriate case for post-screening Alternative Dispute Resolution (“ADR”). The matter was set for a conference before the Honorable Stanley A. Boone on August 30, 2018. (Doc. No. 24.) Due to an issue with transportation not at the fault of the parties, the conference was unable to proceed. The matter is now ready to be rescheduled.

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

1. This case is referred to Magistrate Judge Stanley A. Boone to conduct an ADR conference at the United States Courthouse in Fresno, California on November 16, 2018, at 10:00 a.m;
2. The Court will issue the necessary transportation order in due course;

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- 3. A representative with full and unlimited authority to negotiate and enter into a binding settlement shall attend in person;
- 4. Those in attendance must be prepared to discuss the claims, defenses and damages. The failure or refusal of any counsel, party or authorized person subject to this order to appear in person may result in the cancellation of the conference and the imposition of sanctions. The manner and timing of Plaintiff's transportation to and from the conference is within the discretion of CDCR;
- 5. The Court has retained the confidential settlement statements submitted by the parties, and **no additional statement is required**;
- 6. The parties are not precluded from providing an updated statement, if they prefer to advise the Court of any changes in their positions. Defendants may provide an updated confidential settlement statement to the following email address: **saborders@caed.uscourts.gov**. Plaintiff may mail any updated confidential settlement statement to U.S. District Court, 2500 Tulare Street, Fresno, California, 93721, "**Attention: Magistrate Judge Stanley A. Boone.**" The envelope shall be marked "Confidential Settlement Statement". Updated settlement statements, if any, must arrive no later than November 12, 2018. Updated settlement statements **should not be filed** with the Clerk of the Court **nor served on any other party**. Updated settlement statements shall be clearly marked "confidential" with the date and time of the settlement conference indicated prominently thereon. Any updated settlement statement is limited to five pages.

IT IS SO ORDERED.

Dated: September 10, 2018

/s/ Barbara A. McAuliffe  
UNITED STATES MAGISTRATE JUDGE