1 2 3 4 5 6 7 UNITED STATES DISTRICT COURT 8 EASTERN DISTRICT OF CALIFORNIA 9 10 11 CLEVELAND JONES, Case No.: 1:16-cv-01911-AWI-SAB (PC) 12 Plaintiff, ORDER VACATING SETTLEMENT CONFERENCE SET FOR MARCH 1, 2018 AND 13 v. RELIEVING DEFENSE COUNSEL OF ORDER TO CONTACT PLAINTIFF FOR PURPOSES OF 14 R. LOWDER, et al., SETTLEMENT NEGOTIATIONS 15 Defendants. 16 Plaintiff Cleveland Jones is appearing pro se and in forma pauperis in this civil rights action 17 18 pursuant to 42 U.S.C. § 1983. 19 On November 17, 2017, the Court referred this case to post-screening Alternative Dispute 20 Resolution, and a settlement conference was set for March 1, 2018, at 9:30 a.m. before United States 21 Magistrate Judge Barbara A. McAuliffe. (ECF No. 17.) 22 On January 11, 2018, the Court denied Plaintiff's request for an extension of time to "opt-out" 23 of the settlement conference noting that such provision applied to Defendants only. (ECF No. 19.) 24 However, the Court directed defense counsel to reach out to Plaintiff within twenty-one days to discuss the purpose of the settlement conference. (Id.) 25 26 On January 23, 2018, Plaintiff filed a statement requesting to "opt-out" of the settlement 27 conference based on his belief that it would not be beneficial at the present time. Based on Plaintiff's 28 representations in his January 23, 2018, statement the Court finds that the interest of justice would be

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served by vacating the March 1, 2018 settlement conference to be rescheduled at a later date, if necessary. Defense counsel is relieved of the order to contact Plaintiff for purposes of settlement negotiations.

IT IS SO ORDERED.

Dated: **January 24, 2018**

UNITED STATES MAGISTRATE JUDGE