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10 **UNITED STATES DISTRICT COURT**

11 EASTERN DISTRICT OF CALIFORNIA

12
13 TOY TERRELL SMITH,

14 Plaintiff,

15 v.

16 J. TORRES, et al.,

17 Defendants.

) No.: 1:16-cv-01924-LJO-JDP (PC)

)
)
) ORDER REQUIRING PARTIES TO
) SUBMIT CONFIDENTIAL SETTLEMENT
) STATEMENTS

)
) ORDER DIRECTING CLERK TO EMAIL
) COPY OF ORDER TO LITIGATION
) COORDINATOR

18)
19)
20 Plaintiff Toy Terrell Smith is a state prisoner proceeding *pro se* and *in forma pauperis* in
21 this civil rights action pursuant to 42 U.S.C. § 1983.

22 This case is currently set before Magistrate Judge Stanley A. Boone to conduct a settlement
23 conference at the California State Prison, Corcoran (CSP-COR), 4001 King Avenue, Corcoran,
24 CA 93212 on January 18, 2019, at 8:30 a.m.

25 In preparation for the conference, the parties shall each submit to Judge Boone a
26 confidential settlement conference statement, as described below.

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According, IT IS HEREBY ORDERED that:

1. Plaintiff shall submit a confidential settlement statement in person to Judge Boone at the time that the settlement conference commences.

2. Defendants shall provide a confidential settlement statement on or before January 17, 2018, at 3:30 p.m. Defendants shall submit the statement to the following email address: saborders@caed.uscourts.gov.

3. Settlement statements **should not be filed** with the Clerk of the Court **nor served on any other party**. Settlement statements shall be clearly marked “confidential” with the date and time of the settlement conference indicated prominently thereon.

4. The confidential settlement statement shall be **no longer than five pages** in length, typed or neatly printed, and include the following:

- a. A brief statement of the facts of the case.
- b. A brief statement of the claims and defenses, i.e., statutory or other grounds upon which the claims are founded; a forthright evaluation of the parties’ likelihood of prevailing on the claims and defenses; and a description of the major issues in dispute.
- c. An estimate of the cost and time to be expended for further discovery, pretrial, and trial.
- d. The party’s position on settlement, including present demands and offers and a history of past settlement discussions, offers, and demands.
- e. A brief statement of each party’s expectations and goals for the settlement conference, including how much a party is willing to accept and/or willing to pay.
- f. If the parties intend to discuss the joint settlement of any other actions or claims not in this suit, give a brief description of each action or claim as set forth above, including case number(s), if applicable.

4. The Clerk of the Court is directed to serve a copy of this order on the Litigation Coordinator at California Substance Abuse Treatment Facility and Prison (“CSATF”) via email; and

1 5. The Litigation Coordinator is respectfully requested to deliver the emailed copy of
2 this order to Plaintiff Toy Terrell Smith, CDCR# D-992679, as soon as practicable.

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4 IT IS SO ORDERED.

5 Dated: January 14, 2019


UNITED STATES MAGISTRATE JUDGE