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6 UNITED STATES DISTRICT COURT  
7 EASTERN DISTRICT OF CALIFORNIA  
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9 JERALD MORRIS LARRY,

10 Plaintiff,

11 vs.

12 S. GOODWIN, et al.,

13 Defendants.  
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1:17-cv-00172-DAD-GSA-PC

**ORDER SETTING SETTLEMENT  
CONFERENCE**

**Date: November 16, 2018**

**Time: 10:00 a.m.**

**Before the Honorable Judge Stanley A.  
Boone, Courtroom 9**

15 Plaintiff Jerald Morris Larry is a prisoner proceeding pro se in a civil rights action  
16 pursuant to 42 U.S.C. § 1983. The Court has determined that this case will benefit from a  
17 settlement conference. Therefore, this case will be referred to Magistrate Judge Stanley A.  
18 Boone to conduct a settlement conference at the U. S. District Court, 2500 Tulare Street,  
19 Fresno, California, on November 16, 2018 at 10:00 a.m.

20 The court will issue the necessary transportation order in due course.

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

- 22 1. This case is set for a settlement conference before Magistrate Judge Stanley A.  
23 Boone to conduct a settlement conference at the U. S. District Court, 2500  
24 Tulare Street, Fresno, California, on November 16, 2018 at 10:00 a.m.
- 25 2. A representative with full and unlimited authority to negotiate and enter into a  
26 binding settlement shall attend in person.
- 27 3. Those in attendance must be prepared to discuss the claims, defenses and  
28 damages. The failure or refusal of any counsel, party or authorized person

1 subject to this order to appear in person may result in the cancellation of the  
2 conference and the imposition of sanctions. The manner and timing of  
3 Plaintiff's transportation to and from the conference is within the discretion of  
4 CDCR.

- 5 4. Defendants shall provide a confidential settlement statement to the following  
6 email address: [saborders@caed.uscourts.gov](mailto:saborders@caed.uscourts.gov). Plaintiff shall mail his  
7 confidential settlement statement to U.S. District Court, 2500 Tulare Street,  
8 Fresno, California, 93721, "**Attention: Magistrate Judge Stanley A. Boone.**"  
9 The envelope shall be marked "Confidential Settlement Statement". Settlement  
10 statements shall arrive no later than November 9, 2018. Parties shall also file a  
11 Notice of Submission of Confidential Settlement Statement (See Local Rule  
12 270(d)). Settlement statements should not be filed with the Clerk of the Court  
13 nor served on any other party. Settlement statements shall be clearly marked  
14 "**Confidential**" with the date and time of the settlement conference indicated  
15 prominently thereon.
- 16 5. The confidential settlement statement shall be no longer than five pages in  
17 length, typed or neatly printed, and include the following:
- 18 a. A brief statement of the facts of the case.
  - 19 b. A brief statement of the claims and defenses, i.e., statutory or other grounds  
20 upon which the claims are founded; a forthright evaluation of the parties'  
21 likelihood of prevailing on the claims and defenses; and a description of the  
22 major issues in dispute.
  - 23 c. An estimate of the cost and time to be expended for further discovery,  
24 pretrial, and trial.
  - 25 d. The party's position on settlement, including present demands and offers and  
26 a history of past settlement discussions, offers, and demands.
  - 27 e. A brief statement of each party's expectations and goals for the conference,  
28 including how much a party is willing to accept and/or willing to pay.

- 1           6.     If the parties intend to discuss the joint settlement of any other actions or claims  
2           not in this suit, give a brief description of each action or claim as set forth above,  
3           including case number(s), if applicable.  
4           7.     If a settlement is reached at any point during the stay of this action, the parties  
5           shall file a Notice of Settlement in accordance with Local Rule 160.  
6           8.     A failure to follow these procedures may result in the imposition of sanctions by  
7           the court.  
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9 IT IS SO ORDERED.

10 Dated: October 14, 2018

/s/ Gary S. Austin  
UNITED STATES MAGISTRATE JUDGE

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