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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

CHRISTOPHER DICKSON,

 Plaintiff,

 v.

GOMEZ, *et al.*,

 Defendants.

Case No. 1:17-cv-00294-ADA-BAM (PC)

**ORDER REQUIRING DEFENDANTS TO
RESPOND TO PLAINTIFF’S REQUEST FOR
SETTLEMENT CONFERENCE**

(ECF No. 92)

TWENTY-ONE (21) DAY DEADLINE

Plaintiff Christopher Dickson (“Plaintiff”) 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 proceeds against Defendants Gomez, Rios, and Martinez for excessive force in violation of the Eighth Amendment and against Defendants Duncan and Esparza for violations of Plaintiff’s Fourteenth Amendment due process rights.

Currently pending before the Court is a motion for summary judgment filed by Defendants Esparza and Duncan on the grounds that they did not violate Plaintiff’s Fourteenth Amendment due process rights. (ECF No. 83.) Plaintiff’s opposition was filed on December 10, 2021, and Defendants’ reply was filed on December 16, 2021. (ECF Nos. 88, 89.)

On March 9, 2023, Plaintiff filed a motion for the Court to set this matter for a video settlement conference. (ECF No. 92.) Plaintiff states that although this Court has set this case for a settlement conference twice before, Defendants now have new counsel and Plaintiff would like

1 to meet and possibly settle this case while Defendants' motion for summary judgment is pending
2 before the Court. (*Id.*)

3 The Court generally will not grant motions to set a settlement conference without
4 confirmation that all parties feel that a settlement conference would be a beneficial use of
5 resources of the parties and the Court. Therefore, the Court finds it appropriate to obtain a brief
6 response from Defendants regarding Plaintiff's request for a settlement conference, indicating
7 whether Defendants are also willing to participate in a settlement conference in this matter. The
8 parties are further reminded that they are free to communicate regarding a possible settlement,
9 without judicial involvement.

10 Accordingly, Defendants are HEREBY ORDERED to file a brief written response to
11 Plaintiff's motion for a settlement conference, (ECF No. 92), within **twenty-one (21) days** from
12 the date of service of this order.

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14 IT IS SO ORDERED.

15 Dated: March 10, 2023

16 /s/ Barbara A. McAuliffe
17 UNITED STATES MAGISTRATE JUDGE
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