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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DONALD LEE WILLIAMS,
Plaintiff,
v.
C. PFIEFFER, et al.,
Defendants.

Case No. 1:17-cv-00549-AWI-EPG (PC)
**ORDER DENYING PLAINTIFF’S REQUEST
FILED UNDER SEAL**
(ECF No. 46)
**ORDER RESETTING SETTLEMENT
CONFERENCE**
Date: December 6, 2018
Time: 9:30 a.m.
FOURTEEN (14) DAY DEADLINE

Plaintiff Donald Lee Williams (“Plaintiff”) is a state prisoner proceeding with counsel in this civil rights action pursuant to 42 U.S.C. § 1983. This case was referred to the undersigned for a settlement conference on October 30, 2018, at 9:30 a.m., at the United States District Courthouse in Fresno, California. (ECF No. 40.)

On September 28, 2018, Plaintiff filed a request, under seal, for housing limitations to be included in the Court’s transport order, or for alternative relief. (ECF Nos. 43, 46.) Defendants filed a response on October 4, 2018. (ECF No. 48.)

For the reasons stated in Defendants’ response, the Court agrees that Plaintiff has not provided sufficient legal or factual support for the requested relief. In addition, with respect to the alternative relief requested, the Court has found that due to the unreliability of the available

1 technology, such relief is not practicable for the purposes of conducting a settlement conference.
2 Absent exigent circumstances, which have not been presented here, the Court generally will not
3 grant such a request in the context of a settlement conference.

4 The Court notes that a settlement conference before the undersigned is voluntary in this
5 instance. If, in light of this order, Plaintiff chooses not to appear at the settlement conference, the
6 parties' counsel may continue to conduct settlement discussions without the involvement of the
7 Court.

8 Finally, to permit Plaintiff an opportunity to respond to the Court's order, the settlement
9 conference is reset for **December 6, 2018 at 9:30 a.m.** before the undersigned. As noted, if the
10 parties or counsel are unable or unwilling to appear on this date, counsel are free to engage in
11 settlement discussions at any time.

12 Accordingly, IT IS HEREBY ORDERED that:

- 13 1. Plaintiff's request filed under seal, (ECF No. 46), is DENIED;
- 14 2. This matter is set for a settlement conference on **December 6, 2018, at 9:30 a.m.**
15 before the undersigned;
- 16 3. Plaintiff shall file a response within **fourteen (14) days** of the date of service of this
17 order indicating whether the new settlement conference date should be vacated.

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19 IT IS SO ORDERED.

20 Dated: October 9, 2018

21 /s/ Barbara A. McAuliffe
22 UNITED STATES MAGISTRATE JUDGE
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