

1
2
3
4
5
6
7
8 UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
10

11 AUBREY LEE BROTHERS, II,

12 Plaintiff,

13 v.

14 CHITA BUENAFE, N. RAMIREZ,

15 Defendants.
16

Case No. 1:17-cv-00607-NONE-HBK

ORDER DENYING WITHOUT PREJUDICE
PLAINTIFF'S MOTION FOR SETTLEMENT
CONFERENCE

(Doc. No. 98)

17 Plaintiff Aubrey Lee Brothers, II, a state prisoner, initiated this action on May 1, 2017 by
18 filing a *pro se* civil rights complaint under 42 U.S.C. § 1983 against Defendants Chita Buenafe
19 and N. Ramirez. (Doc. No. 1). Brothers is proceeding on his third amended complaint. (Doc. No.
20 24). On May 26, 2021, the Court issued findings and recommendations recommending that
21 Defendants' motion for merits-based summary judgment as to both Defendants be granted and the
22 case be closed. (Doc. No. 92). These findings and recommendations have not yet been reviewed
23 by the district judge assigned to this case. On September 29, 2021, Brothers filed a motion
24 seeking the Court to set a settlement conference. (Doc. No. 98).

25 It is the Court's practice to refer civil rights cases filed by *pro se* individuals to Alternative
26 Dispute Resolution (ADR) to attempt to resolve such cases more expeditiously and less
27 expensively. *See* Local Rule 270. However, because there are findings and recommendations to
28 grant Defendants' motion for summary judgment pending before the district judge, the Court

1 finds that it is premature at this time to set a settlement conference. Should this case proceed past
2 summary judgment, the Court will refer this case for a settlement conference at that time if
3 appropriate. Therefore, Plaintiff's motion for settlement conference is denied without prejudice.

4 Accordingly, it is ORDERED:

5 Plaintiff's motion for settlement conference (Doc. No. 98) is denied without prejudice.

6
7 Dated: September 30, 2021


HELENA M. BARCH-KUCHTA
UNITED STATES MAGISTRATE JUDGE