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**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

JAMES C. McCURDY,	)	Case No.: 1:17-cv-01356-SAB (PC)
	)	
Plaintiff,	)	
	)	ORDER VACATING MOTIONS IN LIMINE
v.	)	HEARING AND TAKING MOTIONS UNDER
	)	SUBMISSION
S. KERNAN, et al.,	)	
	)	ORDER DIRECTING DEFENDANT TO FILE A
Defendants.	)	RESPONSE TO PLAINTIFF’S REQUEST TO SET
	)	A SETTLEMENT CONFERENCE
	)	
	)	(ECF No. 90)
	)	
	)	

Plaintiff James C. McCurdy is appearing pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983.

This case is currently set for jury trial on May 4, 2021, and a motions in limine hearing on February 26, 2021.

After reviewing the parties’ motions in limine, the Court finds the matter suitable for written decision without the need for oral argument. Accordingly, the February 26, 2021 hearing date will be vacated and the motions in limine shall be taken under submission.

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1 In addition to filing a motions in limine, Plaintiff filed a request for the Court to set a  
2 settlement conference in this action. (ECF No. 90.) Defendant shall file a response and inform the  
3 Court whether he believes a settlement conference would be beneficial.

4 Based on the foregoing, it is HEREBY ORDERED that:

- 5 1. The motions in limine hearing set on Friday, February 26, 2021 is VACATED;
- 6 2. The parties' motions in limine are taken under submission and a written decision will  
7 issue in due course; and
- 8 3. Within **fourteen (14)** days from the date of service of this order, Defendant shall file a  
9 response to Plaintiff's request to set a settlement conference in this matter.

10  
11 IT IS SO ORDERED.

12 Dated: February 24, 2021



UNITED STATES MAGISTRATE JUDGE