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8	UNITED STATE	S DISTRICT COURT			
9	EASTERN DISTR	ICT OF CALIFORNIA			
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11	DELBERT BARNETT,) Case No.: 1:17-cv-01361-DAD-JLT (PC)			
12	Plaintiff,	ORDER REFERRING THE CASE TO POST-SCREENING ADR PROJECT, GRANTING			
13	v.) DEFENDANT'S EXTENSION OF TIME, AND) STAYING THE CASE FOR 90 DAYS			
14	R, FISHER, Jr., et al.,) (Doc. 20) ¹			
15	Defendants.)			
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17	When at least one defendant has been served	ved, the Court is referring all post-screening, civil			
18	rights cases filed by pro se inmates to the Post-Sc	creening Alternative Dispute Resolution Project to			
19	attempt to resolve cases more quickly and less ex	pensively. Defense counsel from the Office of the			
20	California Attorney General has agreed to partici	pate in this pilot project. No defenses or objections			
21	are waived by participation.				
22	As set forth in the screening order, the Court has found the plaintiff has stated at least one				
23	cognizable civil rights claim. Thus, the Court STAYS this action for 90 days to allow the parties to				
24	investigate the plaintiff's claims, meet and confer	r and participate in a settlement conference.			
25	There is a presumption that all post-screen	ning civil rights cases will proceed to settlement			
26					
27 28		o file a responsive pleading is granted in as much as none is nsuccessful, or until counsel files a notice that it would likely be ponsive pleading will thereafter be set.			

1 conference.² However, if after investigating plaintiff's claims, speaking with plaintiff and conferring 2 with defense counsel's supervisor, counsel finds in good faith that a settlement conference is unlikely to be fruitful, would be a waste of resources,³ defense counsel may move to opt out of this pilot 3 4 project.

5 Within 35 days, the assigned Deputy Attorney General SHALL contact the Courtroom Deputy Clerk at SHall@caed.uscourts.gov, to schedule the settlement conference. If the settlement 6 7 conference cannot be set quickly due to the court's calendar, the parties may seek an extension of the 8 initial 90-day stay.

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Based upon the foregoing, the Court **ORDERS**:

1. This action is STAYED for 90 days to allow the parties an opportunity to settle their 11 dispute before a responsive pleading is filed, or the discovery process begins. No other pleadings or 12 other documents may be filed in this case during the stay. The parties **SHALL NOT** engage in formal 13 discovery, but they may jointly agree to engage in informal discovery.

14 2. Within 30 days from the date of this order, the parties SHALL file the attached 15 notice, indicating their agreement to proceed to an early settlement conference or whether they believe 16 settlement is not achievable at this time. In addition, they SHALL indicate whether they object to the 17 undersigned conducting the settlement conference.

18 3. Within 35 days from the date of this order, the assigned Deputy Attorney General 19 **SHALL** contact this court's Courtroom Deputy Clerk at SHall@caed.uscourts.gov, to schedule the 20 settlement conference;

- 21 4. If the parties settle their case during the stay of this action, they **SHALL** file a Notice 22 of Settlement as required by Local Rule 160;
- 23 5. The Clerk of the Court **SHALL** serve via email, copies of: a. plaintiff's second 24 amended complaint (Doc. 14), b. the screening orders (Docs. 15, 16), and c. this order to Supervising 25 Deputy Attorney General Christopher Becker, and copy of this order to ADR Coordinator Sujean
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²⁷ 2 If the case does not settle during the stay, Court will set a deadline for the responsive pleading at the conference. ³ By way of guidance, if the defense intends to file an exhaustion motion and believes in good faith that it has a 28 significant chance of success, this would be a likely circumstance where the opt-out provision should be employed.

1	Park;		
2	6.	The parties are reminded	of their obligation to keep the court informed of any changes
3	of addresses	during the stay and while the	e action is pending. Changes of address must be reported
4	promptly in	a separate document entitled	"Notice of Change of Address." See L.R. 182(f).
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6	IT IS SO OF	RDERED.	
7	Dated:	June 13, 2019	/s/ Jennifer L. Thurston
8			UNITED STATES MAGISTRATE JUDGE
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8	UNITED STAT	TES DISTRICT COURT
9	EASTERN DIST	TRICT OF CALIFORNIA
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11	DELBERT BARNETT,	Case No.: 1:17-cv-01361-DAD-JTL (PC)
12	Plaintiff,	NOTICE REGARDING EARLY SETTLEMENT CONFERENCE
13	V.	
14	R. FISHER, Jr, et al.,	
15	Defendants.	
16		
17	As required by the Court's order:	
18	1. The party or counsel for the par	ty signing below, agrees that there is a good chance that
19	an early settlement conference will resolve this	s action and wishes to engage in an early settlement
20	conference.	
21	Yes No	
22	2. The plaintiff (Check one):	
23		in the settlement conference in person, OR
24	Would like to participate	in the settlement conference by video conference.
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26	Dated:	
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28		Plaintiff or Counsel for Defendants
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