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5	UNITED STAT	ES DISTRICT COURT
6	EASTERN DIST	RICT OF CALIFORNIA
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8	DEVONTE B. HARRIS,	Case No. 1:17-cv-01370-DAD-SAB (PC)
9	Plaintiff,	
10	V.	ORDER SETTING SETTLEMENT
11	T. QUILLEN, et al.,	CONFERENCE
12	Defendants.	
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14	Plaintiff Devonte B. Harris is appearing	ng pro se and in forma pauperis in this civil rights
15	action pursuant to 42 U.S.C. § 1983. The con	urt has determined that this case will benefit from a
16	settlement conference. Therefore, this case w	vill be referred to Magistrate Judge Barbara A.
17	McAuliffe for the court's Settlement Week p	rogram to conduct a settlement conference on May
18	27, 2021 at 9:30 a.m. In light of the coronav	virus (COVID-19) outbreak and evolving coronavirus
19	protocols, the court finds that the parties shal	l appear <u>remotely</u> via the Zoom videoconferencing
20	application.	
21	Counsel for Defendants shall contact	Courtroom Deputy, Esther Valdez, at (559) 499-
22	5788 or <u>evaldez@caed.uscourts.gov</u> for the v	ideo and dial-in information, including any
23	necessary passcodes, for all parties. Counsel	for Defendants is also required to arrange for
24	Plaintiff's participation by contacting the Liti	gation Coordinator at the institution where Plaintiff
25	is housed and providing the necessary Zoom contact information.	
26	The parties shall each submit to Judge McAuliffe a confidential settlement conference	
27	statement, as described below, to arrive at lea	ast seven days prior (one week) to the conference.
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1	The court puts the parties on notice that if Plaintiff has any outstanding criminal	
2	restitution obligation, fines and/or penalties, these settlement negotiations shall not be geared	
3	towards what the restitution obligation is, but what the value of the case itself is to each side,	
4	irrespective of any outstanding restitution obligation.	
5	In accordance with the above, IT IS HEREBY ORDERED that:	
6	1. This case is set for a <u>remote</u> settlement conference before Magistrate Judge Barbara A.	
7	McAuliffe on May 27, 2021 at 9:30 a.m.	
8	2. A representative with full and unlimited authority to negotiate and enter into a binding	
9	settlement shall attend in person.	
10	3. Those in attendance must be prepared to discuss the claims, defenses and damages.	
11	The failure of any counsel, party or authorized person subject to this order to appear in	
12	person may result in the cancellation of the conference and the imposition of	
13	sanctions. The manner and timing of Plaintiff's transportation to and from the	
14	conference is within the discretion of CDCR.	
15	4. Defendants shall provide a confidential settlement statement to the following email	
16	address: <u>bamorders@caed.uscourts.gov</u> . Plaintiff shall mail his confidential	
17	settlement statement to U.S. District Court, 2500 Tulare Street, Fresno, California	
18	93721, "Attention: Magistrate Judge Barbara A. McAuliffe." The envelope shall	
19	be marked "Confidential Settlement Statement." Settlement statements shall arrive no	
20	later than May 20, 2021. Parties shall also file a Notice of Submission of Confidential	
21	Settlement Conference Statement (See Local Rule 270(d)). Settlement statements	
22	should not be filed with the Clerk of the Court nor served on any other party.	
23	Settlement statements shall be clearly marked "confidential" with the date and time of	
24	the settlement conference indicated prominently thereon.	
25	5. The confidential settlement statement shall be no longer than five pages in length,	
26	typed or neatly printed, and include the following:	
27	a. A brief statement of the facts of the case.	
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1	b. A brief statement of the claims and defenses, i.e., statutory or other grounds upon
2	which the claims are founded; a forthright evaluation of the parties' likelihood of
3	prevailing on the claims and defenses; and a description of the major issues in
4	dispute.
5	c. An estimate of the cost and time to be expended for further discovery, pretrial, and
6	trial.
7	d. The party's position on settlement, including present demands and offers and a
8	history of past settlement discussions, offers, and demands.
9	e. A brief statement of each party's expectations and goals for the settlement
10	conference, including how much a party is willing to accept and/or willing to pay.
11	f. If the parties intend to discuss the joint settlement of any other actions or claims
12	not in this suit, give a brief description of each action or claim as set forth above,
13	including case number(s) if applicable.
14	6. If a settlement is reached at any time prior to the settlement conference, defense
15	counsel is to immediately inform the courtroom deputy of Magistrate Judge McAuliffe
16	and file a Notice of Settlement in accordance with Local Rule 160.
17	7. The parties remain obligated to keep the court informed of their current address at all
18	time during the stay and while the action is pending. Any change of address must be
19	reported promptly to the court in a separate document captioned for this case and
20	entitled "Notice of Change of Address." See Local Rule 182(f).
21	8. A failure to follow these procedures may result in the imposition of sanctions by the
22	court.
23	IT IS SO ORDERED.
24	Thing A. De
25	Dated: March 11, 2021 UNITED STATES MAGISTRATE JUDGE
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