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8	8 UNITED STATES DIS	STRICT COURT		
9	EASTERN DISTRICT OF CALIFORNIA			
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11	11 ROBERT O. SOLIS,	se No.: 1:18-cv-00015-LJO-JLT		
12		RDER REFERRING THE CASE TO POST- CREENING ADR PROJECT AND STAYING		
13		HE CASE FOR 90 DAYS		
14	14 ROSA GONZALES,			
15	Defendant.			
16	16			
17	When at least one defendant has been served, the Court is referring all post-screening, civil			
18	rights cases filed by pro se inmates to the Post-Screening Alternative Dispute Resolution Project to			
19	19 attempt to resolve cases more quickly and less expensi	attempt to resolve cases more quickly and less expensively. Defense counsel from the Office of the		
20	California Attorney General has agreed to participate in this pilot project. No defenses or objections			
21	21 are waived by participation.	are waived by participation.		
22	As set forth in the screening order, the Court h	As set forth in the screening order, the Court has found the plaintiff has stated at least one		
23	23 cognizable civil rights claim. Thus, the Court <b>STAYS</b>	this action for 90 days to allow the parties to		
24	investigate the plaintiff's claims, meet and confer and participate in a settlement conference.			
25	There is a presumption that all post-screening of	There is a presumption that all post-screening civil rights cases assigned to the		
26	26 undersigned will proceed to settlement conference. H	undersigned will proceed to settlement conference. However, if after investigating plaintiff's claim		
27	27			
28	28			

<sup>&</sup>lt;sup>1</sup> If the case does not settle during the stay, Court will set a deadline for the responsive pleading at the conference.

and speaking with plaintiff, and after conferring with defense counsel's supervisor, counsel finds in good faith that a settlement conference would be a waste of resources,<sup>2</sup> defense counsel may move to opt out of this pilot project.

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 conference cannot be set quickly due to the court's calendar, the parties may seek an extension of the initial 90-day stay.

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

- 1. This action is STAYED for 90 days to allow the parties an opportunity to settle their dispute before a responsive pleading is filed, or the discovery process begins. No other pleadings or other documents may be filed in this case during the stay. The parties SHALL NOT engage in formal discovery, but they may jointly agree to engage in informal discovery.
- 2. <u>Within 30 days from the date of this order</u>, the parties **SHALL** file the attached notice, indicating their agreement to proceed to an early settlement conference or whether they believe settlement is not achievable at this time. In addition, they **SHALL** indicate whether they object to the undersigned conducting the settlement conference.
- 3. Within 35 days from the date of this order, the assigned Deputy Attorney General SHALL contact this court's Courtroom Deputy Clerk at SHall@caed.uscourts.gov, to schedule the settlement conference;
- 4. If the parties settle their case during the stay of this action, they **SHALL** file a Notice of Settlement as required by Local Rule 160;
- 5. The Clerk of the Court **SHALL** serve via email, copies of: a. plaintiff's First Amended Complaint (Doc. 13), b. the screening order (Doc. 16), and c. this order to Supervising Deputy Attorney General Christopher Becker, <u>and</u> copy of this order to ADR Coordinator Sujean Park;
  - 6. The parties are reminded of their obligation to keep the court informed of any changes

<sup>&</sup>lt;sup>2</sup> By way of guidance, if the defense intends to file an exhaustion motion and believes in good faith that it has a significant chance of success, this would be a likely circumstance where the opt-out provision should be employed.

1	of addresses during the stay and while the action is pending. Changes of address must be reported		
2	promptly in a separate document entitled "Notice of Change of Address." See L.R. 182(f).		
3			
4	IT IS SO ORDERED.		
5	Dated: <b>June 1, 2019</b>	/s/ Jennifer L. Thurston	
6		UNITED STATES MAGISTRATE JUDGE	
7			
8			
9			
10			
11	ROBERT O. SOLIS,	Case No.: 1:18-cv-00015-LJO-JLT (PC)	
12	Plaintiff,	NOTICE REGARDING EARLY SETTLEMENT CONFERENCE	
13	v.		
14	ROSA GONZALES,		
15	Defendant.		
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20	UNITED STATES DISTRICT COURT		
21	EASTERN DISTRICT OF CALIFORNIA		
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24	As required by the Court's order:		
25			
26	1. The party or counsel for the party signing below, agrees that there is a good chance that		
27		s action and wishes to engage in an early settlement	
20	conference.		

1		Yes No	
2			
3	2.	The party or counsel for the party signing below, agrees the assigned Magistrate Judge	
4	may conduct the settlement conference.		
5		Yes No	
6	///		
7	///		
8	3.	The plaintiff (Check one):	
9		Would like to participate in the settlement conference in person, OR	
10		Would like to participate in the settlement conference by video conference.	
11			
12	Dated:		
13		Plaintiff or Counsel for Defendants	
14		Training of Counsel for Belefications	
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