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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

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| KAREEM J. HOWELL, |) | No.: 1:18-cv-00467-BAM (PC) |
| |) | |
| Plaintiff, |) | |
| |) | ORDER REGARDING CONFIDENTIAL |
| v. |) | SETTLEMENT STATEMENTS FOR ADR |
| |) | CONFERENCE SET ON FEBRUARY 28, |
| S. BABB, et al., |) | 2019 |
| |) | |
| Defendants. |) | [ECF No. 18] |
| |) | |
| |) | |

Plaintiff Kareem J. Howell is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983.

On December 17, 2018, the Court identified this case as an appropriate case for post-screening ADR (Alternative Dispute Resolution), and referred this matter to Magistrate Judge Stanley A. Boone to conduct a settlement conference at the United States Courthouse in Fresno, California on **February 28, 2019, at 10:00 a.m.** (ECF No. 18.) In that order, instructions were given for the preparation of confidential settlement statements by the parties.

It has come to the attention of the Court that Plaintiff currently proceeds upon multiple matters pending in this district. These matters include the following cases: 1:18-cv-00311-LJO-EPG, Howell v. Burns, et al.; 1:18-cv-00420-AWI-EPG, Howell v. Sellers, et al.; 1:18-cv-00422-LJO-SKO, Howell v. Douglass, et al.; 1:18-cv-00825-GSA, Howell v. Alejo, et al.; 1:18-cv-00879-DAD-BAM, Howell v. Flores, et al.; 1:18-cv-01109-JLT, Howell v. Porter, et al.; 1:18-cv-01685-JDP, Howell v. Randolph, et al.; 1:18-cv-01686-JDP, Howell v. McConnell, et al.; 1:19-

1 cv-00093-BAM, Howell v. Cerda, et al.; 1:19-cv-00094, Howell v. Davidson, et al.; 2:18-cv-
2 00513-MCE-CKD, Howell v. Tran; and 2:18-cv-01788-DB, Howell v. Pleshchuk, et al.

3 To ensure a productive conference and for the efficient use of judicial resources, the Court
4 finds it necessary to obtain more information from the parties on the above-listed matters, for
5 potential discussion at the ADR conference. As a result, the Court provides further instruction
6 here regarding the preparation of the parties' confidential settlement statements.

7 Accordingly, IT IS HEREBY ORDERED that:

- 8 1. Those in attendance at the ADR settlement conference in this matter on February 28,
9 2019 at 10:00 a.m. must be prepared to discuss the claims, defenses and damages in the
10 instant case, and in the above-listed cases.
- 11 2. Defendants shall provide a confidential settlement statement to the following email
12 address: **saborders@caed.uscourts.gov**. Defendants' settlement statement shall
13 arrive no later than **February 21, 2019**. Defendants shall also file a Notice of
14 Submission of Confidential Settlement Statement. See Local Rule 270(d).
- 15 3. Plaintiff's settlement statement shall be mailed and received one week prior to the
16 settlement conference. Plaintiff shall send his settlement conference statement to:
17 United States District Court, Attention Magistrate Judge Stanley Boone, 2500 Tulare
18 Street, Suite 1501, Fresno, CA 93721.
- 19 4. Settlement statements **should not be filed** with the Clerk of the Court **nor served on**
20 **any other party**. Settlement statements shall be clearly marked "confidential" with
21 the date and time of the settlement conference indicated prominently thereon.
- 22 5. The confidential settlement statement shall include the following information for the
23 instant case and for each case listed above, to the extent possible:
 - 24 a. A brief statement of the facts of the case.
 - 25 b. A brief statement of the claims and defenses, i.e., statutory or other grounds
26 upon which the claims are founded; a forthright evaluation of the parties'
27 likelihood of prevailing on the claims and defenses; and a description of the
28 major issues in dispute.

1 c. An estimate of the cost and time to be expended for further discovery, pretrial,
2 and trial.

3 d. The party's position on settlement, including present demands and offers and a
4 history of past settlement discussions, offers, and demands; and

5 e. A brief statement of each party's expectations and goals for the settlement
6 conference, including how much a party is willing to accept and/or willing to
7 pay.

8 6. All other provisions of the Court's order referring this matter for post-screening ADR,
9 dated December 17, 2018, remain in effect; and

10 7. A failure to follow these procedures may result in the imposition of sanctions by the
11 court.

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13 IT IS SO ORDERED.

14 Dated: February 1, 2019

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17 UNITED STATES MAGISTRATE JUDGE
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