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

ALONZO RAYSHAWN PERKINS,)	Case No.: 1:18-cv-00501-SAB (PC)
Plaintiff,)	
v.	)	ORDER VACATING DECEMBER 4, 2018
A. MARTINEZ, et al.,	)	SETTLEMENT CONFERENCE, VACATING
Defendants.	)	WRIT OF HABEAS CORPUS AD
	)	TESTIFICANDUM, AND RE-SCHEDULING
	)	SETTLEMENT CONFERENCE FOR FEBRUARY
	)	14, 2019, AND DIRECTING CLERK OF COURT
	)	TO SERVE COPY OF THIS ORDER ON
	)	LITIGATION COORDINATOR AT CALIFORNIA
	)	STATE PRISON, CORCORAN
)	
	)	[ECF Nos. 18, 20, 24]
)	

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

On October 12, 2018, the Court issued an order referring this case to the Court’s Alternative Dispute Resolution Program, set the case for a settlement conference on December 4, 2018, before Magistrate Judge Barbara A. McAuliffe, and stayed the case for ninety days. (ECF No. 25.) The Court advised defense counsel that counsel could opt-out of the settlement conference with thirty days.

On November 9, 2018, defense counsel filed a request to reset the settlement conference for ninety days. (ECF No. 24.) Defense counsel, Allison M. Low, indicates that she recently received reassignment of this case and has not had the opportunity to review the substantive case evaluation

1 already completed nor determine what more must be done to be prepared to discuss the claims,
2 defenses, and damages at a settlement conference. (Declaration of Allison M. Low ¶ 4.)

3 Based on the showing of good cause, the Court will vacate the December 4, 2018, settlement
4 conference and reschedule the conference for **February 14, 2019, at 9:30 a.m.** before Magistrate
5 Judge Barbara A. McAuliffe, and stay the case for 120 days. The Court will issue the necessary
6 transportation writ in due course.

7 Accordingly, it is HEREBY ORDERED that:

- 8 1. The settlement conference set for December 4, 2018, is VACATED;
- 9 2. The writ of habeas corpus ad testificandum is VACATED;
- 10 3. This case is STAYED for 120 days to allow the parties an opportunity to settle their
11 dispute before the discovery process begins;
- 12 4. The settlement conference is rescheduled for **February 14, 2019, at 9:30 a.m.** before
13 Magistrate Judge Barbara A. McAuliffe, in Courtroom 8 (BAM) at the United States Courthouse
14 located at 2500 Tulare Street, Fresno, California;
- 15 5. The parties shall provide a confidential statement on or before February 7, 2019, as set
16 forth in the Court's October 12, 2018, order;
- 17 6. If defense counsel wishes to "opt-out" of this settlement, counsel must do so within
18 sixty (60) days of this order by filing a "Notice of Opt-Out and Request to Vacate Settlement
19 Conference"; and
- 20 7. All other provisions of the Court's October 12, 2018, order remain in full force and
21 effect.

22
23 IT IS SO ORDERED.

24 Dated: November 14, 2018


25 UNITED STATES MAGISTRATE JUDGE