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8 *Attorneys for Defendants*
M. Pompa, E. Schulte, D. Rodriguez, R. Rodriguez
 9 *Jr., J. Garcia and F. Martinez*

10 IN THE UNITED STATES DISTRICT COURT
 11 FOR THE EASTERN DISTRICT OF CALIFORNIA
 12 FRESNO DIVISION

14 **TOMMY MACKEY,**
 15
 16 Plaintiff,
 17
 18 **v.**
 19 **D. GOSS, et al.,**
 20 Defendants.

1:18-cv-00988- KES-HBK
**DEFENDANTS' REQUEST TO EXCUSE
 APPEARANCE AT SETTLEMENT
 CONFERENCE; [PROPOSED] ORDER**
 Date: April 9, 2024
 Time: 10:00 a.m.
 Judge: The Honorable Jeremy
 Peterson
 Action Filed: July 24, 2018

22 **TO THE HONORABLE MAGISTRATE JUDGE JEREMY PETERSON:**

23 The Court ordered an early settlement conference for this matter for April 9, 2024 at 10:00
 24 a.m. Defendants M. Pompa, E. Schulte, D. Rodriguez, R. Rodriguez Jr., J. Garcia and F.
 25 Martinez request this Court excuse their personal appearances at the upcoming settlement
 26 conference.

1 Defendants will be represented by Deputy Attorney General John W. Faulconer and Deputy
2 Attorney General Brittany Boiko at the settlement conference. (Declaration of John W. Faulconer
3 (Faulconer Decl.), ¶ 1.)

4 Defendants' representatives will have authority to settle this matter. (Faulconer Decl., ¶ 2.)

5 Good cause exists to excuse the appearances of Defendants at the settlement conference.
6 The Defendants perform various roles at Kern Valley State Prison and Wasco State Prison.
7 (Faulconer Decl., ¶ 3.) Requiring Defendants to attend the settlement conference proceedings
8 will divert them from their daily responsibilities. (*Id.*) The daily duties of Defendants include the
9 maintenance of prison security, supervising inmates, and providing services to inmates. (*Id.*)
10 Their absences may disrupt normal activity at the institution, and redirect staff, including staff
11 with other critical responsibilities. (*Id.*)

12 Because settlement decisions and full monetary authority for the upcoming conference will
13 lie with the Defendants' counsel, it is respectfully requested that the Court excuse Defendants
14 from appearing on April 9, 2024.

15 Dated: March 27, 2024

Respectfully submitted,

16 ROB BONTA
17 Attorney General of California
18 PREETI K. BAJWA
Supervising Deputy Attorney General

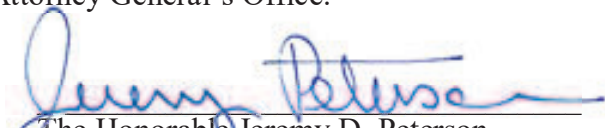
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20 /s/ John Faulconer
JOHN W. FAULCONER
21 Deputy Attorney General
Attorneys for Defendants

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[PROPOSED] ORDER

Having reviewed the foregoing request and determined good cause, Defendants M. Pompa, E. Schulte, D. Rodriguez, R. Rodriguez Jr., J. Garcia and F. Martinez are excused from personally appearing at the upcoming settlement conference on April 9, 2024. Defendants will be represented by their counsel from the California Attorney General’s Office.

Dated: March 28, 2024


The Honorable Jeremy D. Peterson
United States Magistrate Judge