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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

MOIZEZ M. MUNOZ,
Plaintiff,
v.
UNDERWOOD, et al.,
Defendants.

Case No. 1:18-cv-01665-DAD-EPG (PC)
ORDER DENYING PLAINTIFF’S MOTION
REQUESTING A SETTLEMENT
CONFERENCE

(ECF NOS. 39 & 41)

Moizez Munoz (“Plaintiff”) is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action filed pursuant to 42 U.S.C. § 1983.

On August 16, 2019, defense counsel opted out of having an early settlement conference in this case, stating “after review of the matter, counsel believes that the Plaintiff’s position and valuation of the case exceeds the defense valuation of the case to an extent that a settlement conference would not be productive at this time.” (ECF No. 35, p. 1).

On September 30, 2019, Plaintiff filed a motion requesting a settlement conference. (ECF Nos. 39 & 41). On October 8, 2019, Defendants filed an opposition, stating that “[a] settlement conference is unlikely to be productive at this time.” (ECF No. 44, p. 1).

In light of Defendants’ opposition, the Court will not order that a settlement conference be

1 set at this time. As noted previously, “Plaintiff can always send Defense counsel a settlement
2 offer, and it will be kept confidential and cannot be used in the litigation.” (ECF No. 43).
3 Additionally, the Court may discuss the setting of a settlement conference at the scheduling
4 conference that is currently set for December 2, 2019.

5 Accordingly, IT IS ORDERED that Plaintiff’s motion requesting a settlement conference
6 (ECF Nos. 39 & 41) is DENIED.

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8 IT IS SO ORDERED.

9 Dated: October 9, 2019

/s/ Eric P. Gray
UNITED STATES MAGISTRATE JUDGE

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