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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

SEQUOYAH DESERTHAWK
KIDWELL,

Plaintiff,

v.

JASON COLLINS, et al.,

Defendants.

Case No.: 1:22-cv-00709-JLT-CDB (PC)

**ORDER REFERRING CASE TO POST-
SCREENING ADR AND STAYING CASE
FOR 90 DAYS**

FORTY-FIVE (45) DAY DEADLINE

Plaintiff Sequoyah Deserthawk Kidwell, *also known as* Jason Scott Harper, is proceeding pro se in this civil rights action pursuant to 42 U.S.C. § 1983.

On December 26, 2023, Defendant H. Aguwa filed an answer to Plaintiff’s first amended complaint. (Doc. 31.)

The Court refers all civil rights cases filed by pro se inmates to Alternative Dispute Resolution (“ADR”) to attempt to resolve such cases more expeditiously and less expensively.

The Court stays this action for ninety days to allow the parties to investigate Plaintiff’s claims, meet and confer, and participate in an early settlement conference. The Court presumes that all post-screening civil rights cases assigned to the undersigned will proceed to a settlement conference. However, if, after investigating Plaintiff’s claims and meeting and conferring, either party finds that a settlement conference would be a waste of resources, the party may opt out of

1 the early settlement conference.

2 Accordingly, it is hereby ORDERED:

- 3 1. This action is STAYED for **ninety (90) days** to allow the parties an opportunity to
4 settle their dispute before the discovery process begins. No pleadings or motions may
5 be filed in this case during the stay. The parties shall not engage in formal discovery,
6 but they may engage in informal discovery to prepare for the settlement conference.
- 7 2. **Within 45 days** from the date of this Order, the parties SHALL file the attached
8 notice, indicating their agreement to proceed to an early settlement conference or their
9 belief that settlement is not achievable at this time.
- 10 3. **Within 60 days** from the date of this Order, the assigned Deputy Attorney General
11 SHALL contact the undersigned's Courtroom Deputy Clerk at shall@caed.uscourts.gov
12 to schedule the settlement conference, assuming the parties agree to participate in an
13 early settlement conference.
- 14 4. If the parties reach a settlement during the stay of this action, they SHALL file a
15 Notice of Settlement as required by Local Rule 160.
- 16 5. The Clerk of the Court SHALL serve via email copies of Plaintiff's first amended
17 complaint (Doc. 22), the Second Screening Order (Doc. 26), the Order Adopting
18 Findings and Recommendations to Dismiss Certain Claims and Defendants (Doc. 29),
19 and this Order to Supervising Deputy Attorney General Lawrence Bragg
20 (Lawrence.Bragg@doj.ca.gov), and a copy of this Order to ADR Coordinator Sujean
21 Park.
- 22 6. The parties are obligated to keep the Court informed of their current addresses during
23 the stay and the pendency of this action. Changes of address must be reported
24 promptly in a Notice of Change of Address. See L.R. 182(f).

25
26 IT IS SO ORDERED.

27 Dated: January 2, 2024

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UNITED STATES MAGISTRATE JUDGE

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NOTICE REGARDING EARLY
SETTLEMENT CONFERENCE

1. The party or counsel agrees that an early settlement conference would be productive and wishes to engage in an early settlement conference.

Yes ____ No ____

2. Plaintiff (check one):

____ would like to participate in the settlement conference in person.

____ would like to participate in the settlement conference by telephone or video conference.

Dated:

Plaintiff or Counsel for Defendant