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7 **UNITED STATES DISTRICT COURT**

8 EASTERN DISTRICT OF CALIFORNIA

9 GENE RAYMOND MATTHEWS, III,
10

11 Plaintiff,

12 v.

13 S. RAMOS, et al.,

14 Defendants.

Case No. 1:22-cv-01508-JLT-SAB (PC)

ORDER VACATING SETTLEMENT
CONFERENCE, LIFTING STAY OF CASE,
AND DIRECTING CLERK OF COURT TO
ISSUE THE DISCOVERY AND
SCHEDULING ORDER

(ECF Nos. 26, 27)

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16 Plaintiff Gene Raymond Matthews, III is proceeding pro se in this civil rights action filed
17 pursuant to 42 U.S.C. § 1983.

18 On April 11, 2023, the Court issued an order referring this case to the Court's Alternative
19 Dispute Resolution Program, set the case for a settlement conference on July 13, 2023, before
20 Magistrate Judge Barbara A. McAuliffe, and stayed the case. (ECF No. 26.) The Court advised
21 defense counsel that counsel could opt-out of the settlement conference with thirty days.

22 On May 11, 2023, Defendants filed a motion to opt-out of the settlement conference
23 because after investigation they believe a settlement conference would be unproductive at this
24 time. (ECF No. 27.)

25 Accordingly, it is **HEREBY ORDERED** that:

- 26 1. The settlement conference set for July 13, 2023, before Magistrate Judge Barbara
27 A. McAuliffe is **VACATED**;
- 28 2. The stay of this case is lifted; and

1 3. The Clerk of Court shall issue the discovery and scheduling order.

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3 IT IS SO ORDERED.

4 Dated: May 12, 2023



UNITED STATES MAGISTRATE JUDGE

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