

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ROBERT H. NESBITT, JR.,

Plaintiff,

No. CIV S-03-2243 MCE DAD P

vs.

NEIL WAKABAYASHI, et al.,

Defendants.

ORDER

_____ /

Plaintiff is a state prisoner proceeding pro se and in forma pauperis with a civil rights action pursuant to 42 U.S.C. § 1983. Both parties have filed pretrial statements in this matter. In his pretrial statement, plaintiff has expressed his belief that a settlement conference would be helpful. Similarly, defendants have indicated in their pretrial statement that they are willing to participate in a settlement conference.

Accordingly, IT IS HEREBY ORDERED that:

1. Within thirty days of the date of this order, each party shall notify the court in writing as to whether they wish to proceed with a settlement conference before the undersigned magistrate judge or before a randomly-assigned settlement judge. If the parties wish to proceed with a settlement conference before the undersigned magistrate judge, each party shall return to the court the waiver of disqualification form provided with this order. If any party does not wish

1 to proceed with a settlement conference before the undersigned magistrate judge and would
2 prefer a settlement conference before a randomly-assigned settlement judge, they shall file a
3 declaration stating such; and

4 2. The Clerk of Court is directed to send each party the waiver of disqualification
5 form with respect to settlement conferences.

6 DATED: May 24, 2010.

7
8 
9 _____
DALE A. DROZD
UNITED STATES MAGISTRATE JUDGE

10 DAD:sj
11 nesb2243.conf

12
13
14
15
16
17
18
19
20
21
22
23
24
25
26