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IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

Mark Payne,

CASE NO. 2:04-cv-01585-MCE-KJM (PC)

Plaintiff,)

STATUS REPORT REGARDING
SETTLEMENT CONFERENCE

vs.)

Troy Brimhall, et al.,)

Defendants.)

A settlement conference was scheduled in this matter for October 7, 2009, before the undersigned Magistrate Judge at High Desert State Prison. Defendants' counsel notified the court that he is unable to obtain any authority to settle the case. Similarly, plaintiff's counsel notified the court that after conferring with his client, settlement appeared unlikely. Due to the travel requirements involved by parties' counsel in attending said conference and the unlikelihood of arriving at any settlement, the settlement conference is vacated.

Therefore, the reference to the unsigned has expired and this case is removed from the Prison Mediation Program for the Eastern District of California.

IT IS SO ORDERED.

DATED: October 5, 2009



CRAIG M. KELLISON
UNITED STATES MAGISTRATE JUDGE