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

JARMAAL LARONDE SMITH,

Plaintiff,

Case No. 2:07-cv-00964 ALA (P)

vs.

LEANN CRONES, et al.,

ORDER

Defendants.

_____ /

Plaintiff has filed a document styled “PLAINTIFF’S CONSENT FOR REFERRAL TO MEDIATION AND STAY OF PROCEEDINGS.” (Doc. 40). In it, Plaintiff states that he would like to participate in mediation and “agrees to a stay of the proceedings for a period of up to sixty (60) days following [this] [C]ourt’s order of mediation.” (*Id.*). Plaintiff is advised that this Court will not grant a stay of any of the deadlines set forth in this Court’s revised scheduling order, dated March 9, 2009. (Doc. 31).

The parties are hereby requested to inform the Court, on or before April 24, 2009, whether each party wishes to request the Court to select a Magistrate Judge to conduct mediation proceedings, with the understanding that if mediation is not productive, the deadlines set forth in this Court’s March 9, 2009 order will not be changed.

Plaintiff has indicated his willingness to participate in mediation before Magistrate Judge

1 Craig M. Kellison. (Doc. 40). The Court is informed that Magistrate Judge Kellison has set
2 aside time on April 28, 2009 to conduct a mediation proceeding in this matter at the California
3 Substance Abuse Treatment Facility (“CSATF”). If the parties are amenable to referring this
4 matter to mediation, with the understanding that referral of his matter for mediation will not have
5 the effect of staying the proceedings before this Court, they are directed to indicate in their
6 responses whether they are prepared to proceed with such a mediation before Magistrate Judge
7 Kellison, on April 28, 2009 at the CSATF.

8 IT IS HEREBY ORDERED that **on or before April 24, 2009**, the parties shall advise the
9 Court whether mediation proceedings should be conducted in this matter, given that such
10 mediation will not have the effect of staying the proceedings before this Court, and if so,
11 whether the parties are prepared to go forward with the mediation proceeding tentatively
12 scheduled to take place on April 28, 2009 at the CSATF before Magistrate Judge Kellison.

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14 DATED: April 15, 2009

15 /s/ Arthur L. Alarcón
16 UNITED STATES CIRCUIT JUDGE
17 Sitting by Designation
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