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

JOWELL FINLEY,

Plaintiff,

No. CIV S-07-2344 KJM EFB P

vs.

R.L. GRIGGS, et al.,

Defendants.

ORDER

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Plaintiff has requested a court settlement conference in this case, and defendants have stated that they are not opposed to such a conference. However, the parties have not specified whether they waive or do not waive disqualification of the undersigned acting as settlement judge. *See* Local Rule 240(a)(16), 270(b).

On December 9, 2010, plaintiff filed a document styled "Notice of Motion and Objections to Findings and Recommendations." *See* Dckt. No. 84. Plaintiff states that he recently sent to the court his pretrial statement and a motion for reconsideration for appointment of counsel, and asks that the court acknowledge receipt of those filings, as he is concerned that his pleadings are being intercepted. Plaintiff is advised that his pretrial statement was filed on November 8, 2010, and his motion for reconsideration for appointment of counsel was filed on December 6, 2010. *See* Dckt. Nos. 77, 79.


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Accordingly, it is hereby ORDERED:

1. Plaintiff's motion for a settlement conference is granted, and

2. Within 21 days of the date of this order, the parties shall respond to this order and indicate whether they waive or do not waive disqualification of the undersigned acting as settlement judge.

Dated: February 1, 2011.

  
EDMUND F. BRENNAN  
UNITED STATES MAGISTRATE JUDGE