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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

DARRYL L. HUBBARD,  
Plaintiff,  
v.  
C.D. HOUGLAND, et al.,  
Defendants.

No. 2:09-cv-0939 TLN AC P

ORDER

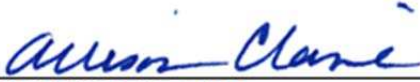
Plaintiff is a former state prisoner proceeding pro se with a civil rights action pursuant to 42 U.S.C. § 1983, which proceeds on the second amended complaint. See ECF No. 117.

The dispositive motion filing deadline expired on May 1, 2015. ECF No. 152. Because the parties have not filed dispositive motions, the court will set a final pretrial conference and trial. However, the court will require that the parties exhaust settlement efforts, and will refer the parties to a magistrate judge for a settlement conference. Before assigning a settlement judge, the court needs to know if the parties will agree to the undersigned serving as the settlement judge, waiving any conflict that may arise as a result. The dates for the final pretrial conference and trial will be set after the settlement conference is scheduled.

Accordingly, IT IS HEREBY ORDERED that within fourteen days of the filing of this order, the parties shall each file a signed Notice Regarding Waiver of Disqualification, indicating whether they will agree to the undersigned serving as the settlement judge. Failure of either party

1 to file a waiver will result in this case being randomly assigned to another magistrate judge for  
2 purposes of conducting a settlement conference. Further instructions will issue once a settlement  
3 judge is assigned.

4 DATED: May 18, 2015

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6 ALLISON CLAIRE  
7 UNITED STATES MAGISTRATE JUDGE  
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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

DARRYL L. HUBBARD,  
Plaintiff,  
v.  
C.D. HOUGLAND, et al.,  
Defendants.

No. 2:09-cv-00939 TLN AC P

NOTICE REGARDING WAIVER OF  
DISQUALIFICATION OF SETTLEMENT  
JUDGE PURSUANT TO LOCAL RULE  
270(b)

Check one:

Plaintiff, a former state prisoner proceeding pro se, requests that the assigned Magistrate Judge participate in a settlement conference in this action and hereby waives any claim of disqualification of the assigned Magistrate Judge on that basis thereafter.

Plaintiff, a former state prisoner proceeding pro se, does not waive any claim of disqualification of the assigned Magistrate Judge and requests the court randomly assign another Magistrate Judge for the purposes of conducting a settlement conference.

DATED: \_\_\_\_\_

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DARRYL L. HUBBARD  
Plaintiff pro se

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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

DARRYL L. HUBBARD,  
Plaintiff,  
v.  
C.D. HOUGLAND, et al.,  
Defendants.

No. 2:09-cv-00939 TLN AC P

NOTICE REGARDING WAIVER OF  
DISQUALIFICATION OF SETTLEMENT  
JUDGE PURSUANT TO LOCAL RULE  
270(b)

Check one:

Defendants request that the assigned Magistrate Judge participate in a settlement conference in this action and hereby waive any claim of disqualification of the assigned Magistrate Judge on that basis thereafter.

Defendants do not waive any claim of disqualification of the assigned Magistrate Judge and request the court randomly assign another Magistrate Judge for the purposes of conducting a settlement conference.

DATED: \_\_\_\_\_

\_\_\_\_\_  
Attorney for Defendants Houglan and McBride