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

WILLIAM THOMAS COATS,

No. 2:09-cv-1300-CMK-P

Plaintiff,

vs.

ORDER

MICHAEL FOX,

Defendant.

_____ /

Plaintiff, a state prisoner proceeding pro se, brought this civil rights action pursuant to 42 U.S.C. § 1983. Pursuant to the written consent of all parties, this case was before the undersigned as the presiding judge for all purposes, including entry of final judgment. See 28 U.S.C. § 636(c).

This matter has now been at issue for sufficient time that it may be ready to be set for trial. Alternatively, the court finds this case may be appropriate for referral to mediation. The parties shall therefore each submit to the court and serve by mail on all other parties a report on the status of this case. The report must address the following:

- 1. Whether this matter is ready for trial and, if not, why not;

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1 2. Whether the parties are agreeable with a referral to mediation and/or
2 settlement conference;

3 3. Whether additional discovery is deemed necessary and, if so, the nature
4 and scope of the discovery and the time needed in which to complete it;

5 4. Whether any pretrial motion is contemplated and, if so, the type of motion
6 and the time needed to file the motion and complete the time schedule set forth in Local Rule
7 230(m);

8 5. A narrative statement of the facts that will be offered by oral or
9 documentary evidence at trial;

10 6. A list of all exhibits to be offered into evidence at the trial of the case;

11 7. A list of the names and addresses of all witnesses the party intends to call;

12 8. A summary of the anticipated testimony of any incarcerated witnesses;

13 9. The time estimated for trial;

14 10. Whether either party still requests trial by jury; and

15 11. Any other matter, not covered above, which the party desires to call to the
16 attention of the court.

17 The parties are warned that failure to file a status report which addresses the
18 issues set forth above may result in the imposition of appropriate sanctions, including dismissal
19 of the action or preclusion of issues or witnesses. See Local Rule 110.

20 Accordingly, IT IS HEREBY ORDERED that:

21 1. Plaintiff's status report shall be filed and served within 30 days from the
22 date of service of this order;

23 2. Defendants' status report shall be filed within 30 days after service of
24 plaintiff's status report; and

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1 3. If the parties agree that this case is suitable for mediation and/or settlement
2 conference, they may submit a statement informing the court of their consent to participate in
3 settlement proceedings within 15 days of this order, and postpone the filing of any further status
4 report until further order of the court.

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6 DATED: October 31, 2014

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8 **CRAIG M. KELLISON**
9 UNITED STATES MAGISTRATE JUDGE
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