



1 The court also finds appointment of counsel is warranted. Judson Earle Lobdell has been  
2 selected from the court's pro bono attorney panel to represent plaintiff and has accepted the  
3 appointment.

4 Plaintiff's Motion for Settlement Conference (ECF 95) also is pending. The court  
5 GRANTS this motion.

6 Accordingly, IT IS HEREBY ORDERED that:

7 1. The findings and recommendations filed July 30, 2013, are adopted in full.

8 2. Defendant Rosario's December 28, 2012 motion for summary judgment (ECF No.  
9 77) is denied.

10 3. Judson Earle Lobdell is appointed as counsel in the above entitled matter.  
11 Appointed counsel shall notify Sujean Park at (916) 930-4278, or via email at  
12 [spark@caed.uscourts.gov](mailto:spark@caed.uscourts.gov) if he has any questions related to the appointment.

13 4. A settlement conference is set for December 12, 2013 at 10:00 a.m. in Courtroom  
14 No. 27, 8th Floor, before Magistrate Judge Dale A. Drozd, who has been randomly selected.

15 The parties are directed to submit their confidential settlement conference statements to  
16 the Court using the following email address: [dadorders@caed.uscourts.gov](mailto:dadorders@caed.uscourts.gov). If a party desires to  
17 share additional confidential information with the Court, they may do so pursuant to the  
18 provisions of Local Rule 270(d) and (e). Statements are due at least 7 days prior to the Settlement  
19 Conference. Each party is reminded of the requirement that it be represented in person at the  
20 settlement conference by a person able to dispose of the case or fully authorized to settle the  
21 matter at the settlement conference on any terms. See Local Rule 270.

22 5. The final pretrial conference is set for February 6, 2014; the parties shall file a  
23 joint pretrial statement by January 23, 2014.

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6. The Clerk of the Court is directed to serve a copy of this order upon Judson Earle Lobbell, Morrison & Foerster LLP, 425 Market Street, San Francisco, CA 94105.

DATED: September 23, 2013.

  
UNITED STATES DISTRICT JUDGE