-KJN	(PS) Board of	Trustees of the	Automotive	Industries	Welfare	FunPension	Fund et al v. G	entry

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8	IN THE UNITED STATES DISTRICT COURT						
9	FOR THE EASTERN DISTRICT OF CALIFORNIA						
10	BOARD OF TRUSTEES OF THE AUTOMOTIVE INDUSTRIES						
11	WELFARE FUND, AUTOMOTIVE INDUSTRIES PENSION FUND; JIM BENO, TRUSTEE,						
12							
13	Plaintiffs, No. 2:10-cv-03411 FCD KJN PS						
14	v.						
15	NORMAN GENTRY, also known as NORM GENTRY, individually and doing business as NORM'S ELECTRICAL SUPPLY,						
16							
17	Defendant. ORDER						
18	/						
19	In an order entered June 15, 2011, this court granted defendant's motion to						
20	appoint counsel. (Order, June 15, 2011, Dkt. No. 77.) Counsel willing to accept a limited						
21	purpose appointment for the purpose of exploring the possibility of settlement have been located						
22	for defendant.						
23	Accordingly, IT IS HEREBY ORDERED that:						
24 25	1. Attorneys James Houpt and Martin Ruano are appointed as limited-						
25 26	purpose counsel in the above-entitled matter. Messrs. Houpt and Ruano have represented that						
26	they are preparing an engagement letter regarding the provision of services, and their						
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appointment as counsel shall be contingent on defendant executing the engagement letter and
 returning it to appointed counsel. Messrs. Houpt and Ruano shall file a written notice with the
 court upon defendant's satisfactory execution and return of an engagement letter to them.

This appointment of counsel is for the limited purpose of assisting plaintiff
 in early settlement negotiations and shall terminate thirty days after completion of a settlement
 conference, or any continuation of a settlement conference.

7 3. If the conditions pertaining to the appointment of counsel have been met, Mr. Houpt and/or Mr. Ruano shall contact plaintiffs' counsel to discuss the scheduling of an 8 9 early settlement conference. Once the parties have communicated regarding such a settlement 10 conference, they shall contact Courtroom Deputy Matt Caspar at (916) 930-4187 if they desire to 11 schedule a settlement conference before the undersigned or another magistrate judge. Plaintiffs have already consented to the undersigned acting as the settlement judge and waived any 12 13 resulting disqualifications. (Pls.' Status Report at 4, Dkt. No. 72.) Defendant has not yet provided notice to the court whether he also consents to the undersigned acting as the settlement 14 15 judge and waives any resulting disqualifications. Within 14 days of the successful appointment 16 of counsel, defendant shall notify the court in writing whether he consents to the undersigned 17 acting as the settlement judge and waives any resulting disqualifications.

4. Appointed counsel should contact Sujean Park at (916) 930-4278, or via
email at spark@caed.uscourts.gov, if they have any questions regarding the appointment.

5. The Clerk of the Court is directed to serve a copy of this order upon James
 Houpt and Martin Ruano, Orrick Herrington & Sutcliffe LLP, 400 Capitol Mall, Suite 3000,
 Sacramento, California 95814.

IT IS SO ORDERED.

24 DATED: June 24, 2011

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KENDALL J. NEWMAN UNITED STATES MAGISTRATE JUDGE