UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

WILLIAM BARKER,	No. 2:11-cv-00246 KJM AC P
Plaintiff,	
v.	ORDER SETTING TRIAL, PRETRIAL CONFERENCE, and JOINT PRETRIAL STATEMENT
R. YASSINE,	
Defendant.	

Plaintiff William Barker is a state prisoner represented by counsel who proceeds in this civil rights action against defendant Correctional Officer R. Yassine. Plaintiff seeks damages pursuant to his claim that defendant employed excessive force against him in violation of the Eighth Amendment's proscription against cruel and unusual punishment. Defendant's motion for summary judgment was denied by order filed September 30, 2015. ECF No. 123. On March 24, 2016, the parties participated in a mediation conference but the case did not settle. ECF No. 131. Thereafter, counsel for both parties filed statements reflecting their availability to proceed to trial, which they agree should not exceed three days. See ECF Nos. 133-34.

Accordingly, IT IS HEREBY ORDERED that:

1. A Pretrial Conference is scheduled before the Honorable Kimberly J. Mueller, on Friday, July 1, 2016, at 10:00 a.m., in Courtroom No. 3.
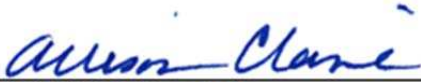
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1 2. On or before June 10, 2016, the parties shall file a Joint Pretrial Statement addressing

2 each of the matters set forth in Local Rule 281(b).

3 3. Jury trial is scheduled to commence before the Honorable Kimberly J. Mueller, on

4 Monday, August 22, 2016, at 9:00 a.m., in Courtroom No. 3.

5 4. On or before August 8, 2016, the parties shall file and serve their respective trial briefs,

6 as will be further set forth in the court's Pretrial Order.

7 5. Plaintiff's counsel shall promptly prepare and submit for the district judge's signature a

8 proposed writ ad testificandum in order to obtain plaintiff's presence at trial.

9 DATED: April 15, 2016

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ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE