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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

TIMOTHY O'KEEFE,
Plaintiff,
v.
JERRY BROWN, et al.,
Defendants.

No. 2: 11-cv-2659 KJM KJN P

ORDER

Plaintiff is a state prisoner, proceeding without counsel. On September 29, 2017, the Honorable Kimberly J. Mueller denied defendants' first summary judgment motion. (ECF No. 282.) Judge Mueller referred this matter back to the undersigned for further proceedings which could include: a settlement conference; a further motion for summary judgment; or an evidentiary hearing on the merits of plaintiff's claim for prospective injunctive relief. (Id.)

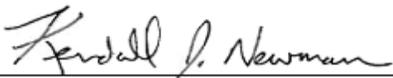
On October 24, 2017, the undersigned ordered defendants to file a supplemental summary judgment motion. (ECF No. 284.) On December 27, 2017, defendants filed a supplemental summary judgment motion. (ECF No. 291.) On April 9, 2018, the undersigned recommended that defendants' supplemental summary judgment motion be granted in part and denied in part. (ECF No. 296.)

If Judge Mueller adopts the April 9, 2018 findings and recommendations, the undersigned finds that a settlement conference is warranted. Accordingly, the undersigned herein directs the

1 parties to inform the court whether they waive disqualification for the undersigned to hold the
2 settlement conference or whether they request a different judge. Plaintiff shall also indicate his
3 preference to appear in person or by videoconference, if available.

4 Accordingly, IT IS HEREBY ORDERED that within thirty days from the date of this
5 order, the parties shall file the attached notice, informing the court whether they waive
6 disqualification for the undersigned to hold the settlement conference, or whether they choose to
7 have the settlement conference held by a different judge. Plaintiff shall also indicate his
8 preference to appear in person or by videoconference, if available.

9 Dated: April 11, 2018

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12 KENDALL J. NEWMAN
13 UNITED STATES MAGISTRATE JUDGE

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