## UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF CALIFORNIA EDWIN McMILLAN, No. 2: 13-cv-0578 MCE KJN P Plaintiff. v. **ORDER** S. RINGLER, et al., Defendants. Plaintiff is a state prisoner, proceeding pro se, with a civil rights action seeking relief

Plaintiff is a state prisoner, proceeding pro se, with a civil rights action seeking relief under 42 U.S.C. § 1983. On February 14, 2018, the district court granted defendants summary judgment as to the claim that defendant Scotland conspired to violate plaintiff's right to practice his religion in violation of the Bane Act, but denied the motion in all other respects. The court has determined that this case will benefit from a settlement conference.

By filing the attached notice within thirty days, the parties shall notify the court whether they waive disqualification for the undersigned to hold the settlement conference or whether they request a different judge. Plaintiff shall also indicate his preference to appear in person or by videoconference, if available. Failure to timely file such notice will result in the case being set for settlement conference before a different judge.

Within thirty days, the assigned Deputy Attorney General shall contact the Courtroom Deputy, Alexandra Waldrop, at (916) 930-4187, to schedule the settlement conference.

Once the settlement conference is scheduled, at least seven days prior to conference, the parties shall submit to the assigned settlement judge a confidential settlement conference statement. The parties' confidential settlement conference statement shall include the following: (a) names and locations of the parties; (b) a short statement of the facts and alleged damages; (c) a short procedural history; (d) an analysis of the risk of liability, including a discussion of the efforts made to investigate the allegations; and (e) a discussion of the efforts that have been made to settle the case.

## Accordingly, IT IS HEREBY ORDERED that:

- 1. Within thirty days from the date of this order, the parties shall file the attached notice, informing the court whether they waive disqualification for the undersigned to hold the settlement conference, or whether they choose to have the settlement conference held by a different judge.
- 2. Within thirty days from the date of this order, the assigned Deputy Attorney General shall contact this court's Courtroom Deputy, Alexandra Waldrop, at (916) 930-4187, to schedule the settlement conference.

UNITED STATES MAGISTRATE JUDGE

3. At least seven days prior to the settlement conference, each party shall submit a confidential settlement conference statement, as described above, to the judge assigned for settlement.

Dated: February 21, 2018

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3	UNITED STATES DISTRICT COURT	
4	FOR THE EASTERN DISTRICT OF CALIFORNIA	
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6	EDWIN McMILLAN,	No. 2: 13-cv-0578 MCE KJN P
7	Plaintiff,	
8	v.	NOTICE RE: JUDGE ELECTION FOR SETTLEMENT CONFERENCE
9	S. RINGLER, et al.,	SETTLEMENT CONFERENCE
10	Defendants.	
11		
12	1. As required by court order, the parties notify the court of the following election:	
13	Pursuant to Local Rule 270(b) of the Eastern District of California, the party signing	
14	below affirmatively requests that the assigned Magistrate Judge participate in the settlement	
15	conference and, further, waives any claim of disqualification of the assigned Magistrate Judge on	
16	that basis thereafter. This waiver is not to be construed as consent to the Magistrate Judge's	
17	jurisdiction under 28 U.S.C. § 636(c)(1).	
18	OR The party signing below requests that a different judge hold the settlement	
19	conference.	
20	AND	
21	2. Plaintiff indicates his preference by checking one:	
22	Plaintiff would like to participate in the settlement conference in person.	
23	OR	
24	Plaintiff would like to participate in the settlement conference by video conference.	
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26	DATED:	
27	Plaintiff or Counsel for Defendants	
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