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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

KRISTIN HARDY,
Plaintiff,
v.
C. DAVIS, et al.,
Defendants.

No. 2:13-cv-0726 JAM DB P

ORDER

Plaintiff, a state prisoner proceeding pro se and in forma pauperis, has filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On May 19, 2017, the court denied defendants’ motion for summary judgment in part. (ECF No. 118). As a result, this matter is on course to proceed to trial.

Given the length of time that has elapsed since defendants’ summary judgment motion was denied in part, as well as both the physical and logistical limitations that have been placed upon the court system due to the COVID-19 pandemic,¹ the court finds that the parties should be

¹ See General Order No. 611 (E.D. Cal. Mar. 16, 2020) (continuing all civil and criminal jury trials in district pending further order of court); see also Office of Governor Gavin Newsom, State Issues Limited Stay at Home Order to Slow Spread of COVID-19, CA.Gov (Nov. 19, 2020), <https://www.gov.ca.gov/2020/11/19/state-issues-limited-stay-at-home-order-to-slow-spread-of-covid-19/>.

1 given the opportunity to consider whether they wish to settle this matter in lieu of proceeding to
2 trial.

3 Accordingly, IT IS HEREBY ORDERED as follows:

4 1. Within twenty-one days of the date of this order the parties shall meet and confer
5 regarding a settlement conference;

6 2. If the parties agree that a settlement conference at this juncture would be useful, within
7 twenty-one days, they shall file a joint statement so informing the court and stating whether they
8 waive any claim of disqualification from having the undersigned magistrate judge conduct the
9 conference or whether they wish to have a different magistrate judge conduct it;

10 3. If the parties do not agree that a settlement conference would be useful, then within
11 thirty days of the date of this order, plaintiff shall file a pretrial statement pursuant to Local Rule
12 281. Within ten days of plaintiff's filing, defendants shall file a pretrial statement. In addition to
13 the material required by Local Rule 281, the parties are invited to submit any suggestions they
14 may have concerning the matters set forth in Local Rule 282, and

15 4. The Clerk of Court shall send plaintiff a copy of this district's Local Rules pertaining
16 to prisoners. Local Rule 282 should also be included with those rules.

17 Dated: January 4, 2021

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21 DEBORAH BARNES
UNITED STATES MAGISTRATE JUDGE

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