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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

VANCE BLAINE,

 Plaintiff,

 v.

CALIFORNIA HEALTH CARE
FACILITY, et al.,

 Defendants.

No. 2:13-cv-2163 KJM AC P

ORDER

On April 13, 2017, the Litigation Coordinator at the California Medical Facility informed a member of this court's Clerk's Office that plaintiff Vance Blaine died on March 24, 2017. A settlement conference on the merits of this action remains scheduled for June 8, 2017. Counsel for plaintiff, Kristin Nichole Capritto, was appointed for the limited purpose of representing plaintiff's interests at the settlement conference. Defendants Crosson and Ditomas are represented by Deputy Attorney General Matthew Ross Wilson; defendant Sabin is represented by private counsel Peter Carlberg Zilaff.

IT IS HEREBY ORDERED that:

1. Within twenty-one (21) days after the filing date of this order, Deputy Attorney General Matthew Ross Wilson shall: (a) file a formal notice of plaintiff's death; (b) serve such notice on all parties and any known potential successor or representative of plaintiff who may seek to substitute in as the proper party in this case in a representative capacity, see


1 Fed. R. Civ. P. 25(a)(3), and Fed. R. Civ. P. 4 and 5; see also Barlow v. Ground, 39 F.2d 231,
2 233-34 (9th Cir. 1994); and (c) file certificates of service on each potential representative.

3 2. Notwithstanding the 90-day period permitting substitution under Federal Rule of Civil
4 Procedure 25(a)(1), the settlement conference shall remain scheduled for June 8, 2017, before
5 United States Magistrate Judge Kendall J. Newman, provided substitution is made prior to that
6 date. If substitution takes place later, the court will re-schedule the settlement conference.

7 3. Plaintiff's appointed counsel, Ms. Capritto, is directed to contact the court's Pro Bono
8 Coordinator within the next twenty-one (21) days to express whether she is willing to represent a
9 properly substituted representative for plaintiff in this case.

10 IT IS SO ORDERED.

11 DATED: April 13, 2017.

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14 ALLISON CLAIRE
15 UNITED STATES MAGISTRATE JUDGE
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