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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

SEAN O’NEAL,
Plaintiff,
v.
AUGUST JOHNSON, et al.,
Defendants.

No. 2:14-cv-2374 DB PS

ORDER

This matter is scheduled for a final pretrial conference on February 1, 2018.¹ (ECF No. 236.) On January 11, 2019, the parties filed a stipulation to vacate the final pretrial conference because the parties “anticipate settlement” and request that this action instead be set for a settlement conference. (Id. at 1.)

The parties’ stipulation does not address whether the proposed settlement conference would be before the undersigned or another magistrate judge. The court has twice set this matter for settlement conference before another magistrate judge. Those conferences were unsuccessful, and the court will not ask that magistrate judge, or another magistrate judge, to dedicate yet more time to the settlement of this action.

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¹ The parties have consented to Magistrate Judge jurisdiction over this action pursuant to 28 U.S.C. § 636(c)(1). (ECF No. 16.)

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Accordingly, for the reasons stated above, IT IS HEREBY ORDERED that:

1. The parties' January 11, 2019 stipulation (ECF No. 237) is granted in part;
2. The February 1, 2019 Final Pretrial Conference is continued to **March 29, 2019, at 1:30 p.m.** in courtroom No. 27 before the undersigned. Trial counsel shall appear at the Final Pretrial Conference;
3. Plaintiff's Pretrial Statement and the parties' Joint Pretrial Statement shall be filed on or before **March 15, 2019**;
4. Defendant's Pretrial Statement shall be filed on or before **March 22, 2019**; and
5. If the parties wish to set a settlement conference in this action, on or before **January 25, 2019**, the parties shall file a joint statement requesting a settlement conference before the undersigned and waiving any disqualification as a result of the undersigned acting as the settlement judge.

DATED: January 11, 2019

/s/ DEBORAH BARNES
UNITED STATES MAGISTRATE JUDGE

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