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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

SCOTT JOHNSON,

Plaintiff,

v.

JAY C. MCILRATH in his individual and representative capacity as Trustee – The Mcilrath Family 2002 Trust, MARY J. MCILRATH in her individual and representative capacity as Trustee – The Mcilrath Family 2002 Trust; and DOES 1-10,

Defendants.

**No. 2:15-cv-00180 MCE CKD**

ORDER

Plaintiff commenced this disability access case asserting a claim under the Americans with Disabilities Act (“ADA”) and related state law claims, and defendant has answered the complaint. Thereafter, the case was referred to a United States magistrate judge for a settlement conference.

The court continues to believe that it is in the best interest of the parties to avoid the accumulation of fees and costs through potentially unnecessary discovery and motion practice, and to allow the parties some time to pursue settlement of this matter by virtue of alternative dispute resolution. Nevertheless, due to the congestion of the court’s docket and the resultant inability of United States magistrate judges to timely facilitate settlement conferences in all cases,


1 the court finds it appropriate to withdraw the previous referral of this case for a settlement  
2 conference, and instead refer the action to the court's Voluntary Dispute Resolution Program  
3 ("VDRP").

4 Accordingly, IT IS HEREBY ORDERED that:

- 5 1. The referral of this case for a settlement conference is WITHDRAWN and the July 11,  
6 2016 settlement conference before Magistrate Judge Carolyn K. Delaney is  
7 VACATED.
- 8 2. This action is STAYED and REFERRED to the VDRP.
- 9 3. Within fourteen (14) days of this order, the parties shall contact the court's VDRP  
10 administrator, Sujean Park, at (916) 930-4278 or SPark@caed.uscourts.gov, to start  
11 the process of selecting an appropriate neutral.
- 12 4. The parties shall carefully review and comply with Local Rule 271, which outlines the  
13 specifications and requirements of the VDRP.
- 14 5. No later than fourteen (14) days after completion of the VDRP session, the parties  
15 shall jointly file their VDRP Completion Report, consistent with Local Rule 271(o).
- 16 6. Any party that objects to this referral to the VDRP shall file its objections within  
17 seven (7) days of this order. Such objections shall clearly outline why that party  
18 believes that the action is not appropriate for referral to the VDRP.

19 IT IS SO ORDERED.

20 Dated: June 17, 2016

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22 MORRISON C. ENGLAND, JR.  
23 UNITED STATES DISTRICT JUDGE  
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