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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

DERRICK OWENS,  
Plaintiff,  
v.  
DR. KO,  
Defendant.

No. 2:15-cv-0982 TLN KJN P

ORDER

Plaintiff, a state prisoner proceeding pro se, has filed this civil rights action seeking relief under 42 U.S.C. § 1983. On September 28, 2018, the district court adopted the undersigned’s findings and recommendations, granting summary judgment to all defendants on all claims except for plaintiff’s claim that the prescription of alternative pain medication was delayed once the morphine washed out of his system or plaintiff informed Dr. Ko of plaintiff’s need for alternative medications. (ECF No. 78.) The district court remanded the case for further scheduling.

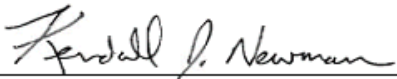
However, on September 28, 2018, plaintiff filed a motion for settlement conference. In light of the dismissal of all but a portion of plaintiff’s case, it appears that plaintiff’s motion is well-taken. Therefore, plaintiff’s motion is granted. Within twenty-one days from the date of this order, both parties shall complete and file the appended notice electing a settlement judge. Plaintiff must also decide whether he wishes to attend in person or by videoconference, if such means is available where he is presently housed.

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Accordingly, IT IS HEREBY ORDERED that:

1. Plaintiff's motion for settlement conference (ECF No. 79) is granted;
2. Within twenty-one days from the date of this order, both parties shall complete and file the appended notice form; and
3. Further scheduling of this action is stayed pending completion of the settlement conference.

Dated: October 11, 2018

  
KENDALL J. NEWMAN  
UNITED STATES MAGISTRATE JUDGE

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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

DERRICK OWENS,

Plaintiff,

v.

JACKIE CLARK, et al.,

Defendants.

No. 2:15-cv-0982 TLN KJN P

NOTICE RE: JUDGE ELECTION FOR  
SETTLEMENT CONFERENCE

1. As required by court order, the parties notify the court of the following election:

\_\_\_\_ Pursuant to Local Rule 270(b) of the Eastern District of California, the party signing below affirmatively requests that the assigned Magistrate Judge participate in the settlement conference and, further, waives any claim of disqualification of the assigned Magistrate Judge on that basis thereafter. This waiver is not to be construed as consent to the Magistrate Judge’s jurisdiction under 28 U.S.C. § 636(c)(1).

**OR**

\_\_\_\_ The party signing below requests that a different judge hold the settlement conference.

**AND**

2. Plaintiff indicates his preference by checking one:

\_\_\_\_ Plaintiff would like to participate in the settlement conference in person.

**OR**

\_\_\_\_ Plaintiff would like to participate in the settlement conference by video conference.

DATED:

\_\_\_\_\_  
Plaintiff or Counsel for Defendants