

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

NEXIS RENE GOMEZ,
Plaintiff,
v.
D. BRAUN, et al.,
Defendants.

No. 2:15-cv-2523 KJN P

ORDER

Plaintiff is a state prisoner, proceeding without counsel. Plaintiff alleges that in early 2012, Dr. Braun and Dr. Majumdar were deliberately indifferent to plaintiff's serious mental health needs, and delayed mental health care for the same, in violation of the Eighth Amendment, resulting in plaintiff's suicide attempt on February 29, 2012. Both defendants signed waivers of service of summons, which were filed by the U.S. Marshal on June 22, 2016.


On June 27, 2016, this case was referred to the post-screening ADR project and stayed for 90 days. On July 28, 2016, defense counsel filed a motion for extension of time regarding the parties' participation in the early settlement conference. Defense counsel met with plaintiff at CSP-Corcoran on July 27, 2016, regarding settlement; however, because plaintiff did not have any of his medical records, the parties were unable to discuss potential settlement options. The parties agreed that defense counsel would prepare an authorization form to be signed by plaintiff to authorize the CDCR to release the medical records to defense counsel, and in turn, defense

1 counsel will provide plaintiff with free copies of such records. Following receipt of the records,
2 the parties require additional time to review the records and determine whether a settlement
3 conference will be helpful. Accordingly, the parties request an additional 90 days in which to
4 obtain and review the medical records and to advise the court on the viability of an early
5 settlement conference. In addition, the parties request that the stay remain in effect with the
6 exception of obtaining and producing the medical records.

7 Good cause appearing, IT IS HEREBY ORDERED that:

- 8 1. Defendants' motion for an extension of time (ECF No. 25) is partially granted;
- 9 2. The parties are granted an additional 80 days in which to obtain and review plaintiff's
10 medical records; on or before 85 days from the date of this order, the assigned Deputy Attorney
11 General shall contact Matt Caspar, Courtroom Deputy, at (916) 930-4187, to schedule the
12 settlement conference, or file a request to opt out of the pilot project, consistent with this court's
13 June 27, 2016 order (ECF No. 21 at 2); and
- 14 3. The stay of this action is extended for an additional 90 days from the date of this order.

15 Dated: August 3, 2016

16 
17 _____
KENDALL J. NEWMAN
18 UNITED STATES MAGISTRATE JUDGE

19 /gome2523.eot.adr
20
21
22
23
24
25
26
27
28