UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

MATTHEW DENNIS,

Plaintiff,

v.

SCOTT KERNAN, et al.,

Defendants.

No. 2:16-cv-0542 JAM AC P

ORDER

Plaintiff, a state prisoner proceeding pro se, requests that this case be scheduled forthwith for a settlement conference under this court's Alternative Dispute Resolution (ADR) project for prisoner civil rights cases, notwithstanding the pendency of plaintiff's interlocutory appeal in the Ninth Circuit Court of Appeals. See ECF No. 86; see also ECF No. 80, 82 (USCA Case No. 20-16392).

By order filed July 16, 2020, the undersigned referred this case to the ADR project and issued a ninety-day stay for that purpose. ECF No. 78. However, due to the pendency of plaintiff's appeal, this court has deferred setting a date for the settlement conference. Plaintiff's recent filings underscore the appropriateness of staying this case in its entirety until the conclusion of plaintiff's appeal or in the event the parties jointly request that a settlement conference before this court be promptly scheduled.

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The parties are informed that, despite the current COVID-19 crisis, this court is successfully conducting prisoner ADR settlement conferences by telephone and/or video. Such conferences are scheduled several weeks in advance. Should plaintiff and defense counsel agree that a settlement conference would be beneficial in this case prior to resolution of plaintiff's appeal, they may file a joint request (or separate statements reflecting the same request) that an ADR settlement conference be scheduled at the earliest available date. Such request should indicate plaintiff's intent to withdraw his appeal should the parties reach a settlement agreement.

Accordingly, IT IS HEREBY ORDERED that:

1. Plaintiff's ex parte request to immediately schedule an ADR settlement conference in this case, ECF 86, is denied without prejudice; and

2. This case is STAYED in its entirety until further order of this court.

DATED: August 19, 2020

Allison Claire

ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE