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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JAMAAL THOMAS,
Plaintiff,
v.
CHAD DARLING, et al.,
Defendants.

No. 2:16-cv-02691 JAM CKD P

ORDER

Plaintiff is a state prisoner proceeding pro se in this civil rights action filed pursuant to 42 U.S.C. § 1983. In light of the district court judge’s adoption of the February 15, 2019 Findings and Recommendations dismissing all the defendants except defendant Darling, the undersigned hereby sets a settlement conference in this case for June 17, 2019 at 9:30 a.m. in Courtroom 24 before the undersigned. The parties shall notify the court whether they waive disqualification for the undersigned to hold the settlement conference or whether they request a different judge on a different date by filing the attached notice. Plaintiff shall also indicate his preference to appear in person or by videoconference, if available. Failure to timely file such notice will result in the case being set for settlement conference before a different judge.

At least seven days prior to the conference, the parties are directed to submit their confidential settlement conference statements to the court using the following email address: ckdorders@caed.uscourts.gov. The parties’ confidential settlement conference statement shall

1 include the following: (a) names and locations of the parties; (b) a short statement of the facts and
2 alleged damages; (c) a short procedural history; (d) an analysis of the risk of liability; and (e) a
3 discussion of the efforts that have been made to settle the case. Upon submission of confidential
4 settlement statements, each party shall file on the docket a "Notice of Submission of Settlement
5 Conference Statement." Since plaintiff is a pro se prisoner, he may submit his settlement
6 statement clearly marked as a "CONFIDENTIAL SETTLEMENT CONFERENCE
7 STATEMENT" and a separate "Notice of Submission of Settlement Conference Statement" by
8 mail.

9 The parties are instructed to have a principal with full settlement authority present at the
10 Settlement Conference or to be fully authorized to settle the matter on any terms. The individual
11 with full authority to settle must also have "unfettered discretion and authority" to change the
12 settlement position of the party, if appropriate. The purpose behind requiring the attendance of a
13 person with full settlement authority is that the parties' view of the case may be altered during the
14 face to face conference. An authorization to settle for a limited dollar amount or sum certain can
15 be found not to comply with the requirement of full authority to settle.

16 Accordingly, IT IS HEREBY ORDERED that:

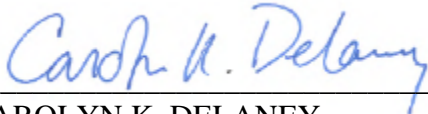
- 17 1. This case is stayed pending the settlement conference scheduled for June 17, 2019 at
18 9:30 a.m. in Courtroom 24.
- 19 2. Except as provided herein or by subsequent court order, no other pleadings or other
20 documents may be filed in this case during the stay of this action.
- 21 3. Within thirty days from the date of this order, the parties shall file the attached notice,
22 informing the court whether they waive disqualification for the undersigned to hold
23 the settlement conference, or whether they choose to have the settlement conference
24 held by a different judge on a different date.
- 25 4. Plaintiff shall also indicate whether he wishes to participate in the settlement
26 conference in person or by video conference by filing the attached notice within 30
27 days from the date of this order.
- 28 5. At least seven days prior to the settlement conference, each party shall submit a

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confidential settlement conference statement, as described above, to the judge assigned for settlement.

6. The parties remain obligated to keep the court informed of their current address at all times during the stay and while the action is pending. Any change of address must be reported promptly to the court in a separate document captioned for this case and entitled "Notice of Change of Address." See L.R. 182(f).

Dated: April 1, 2019



CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE

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UNITED STATES DISTRICT COURT
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JAMAAL THOMAS,

Plaintiff,

v.

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Defendants.

No. 2:16-cv-02691 JAM CKD 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