

1 undersigned will proceed to settlement conference.¹ However, if after investigating plaintiff's
2 claims and speaking with plaintiff, and after conferring with defense counsel's supervisor,
3 defense counsel in good faith finds that a settlement conference would be a waste of resources,
4 defense counsel may move to opt out of this pilot project.

5 By filing the attached notice within thirty days, the parties shall notify the court whether
6 they waive disqualification for the undersigned to hold the settlement conference or whether they
7 request a different judge. Plaintiff shall also indicate his preference to appear in person or by
8 videoconference, if available. Failure to timely file such notice will result in the case being set
9 for settlement conference before a different judge.

10 Within thirty days, the assigned Deputy Attorney General shall contact this court's
11 Courtroom Deputy, at (916) 930-4187, to schedule the settlement conference. If difficulties arise
12 in scheduling the settlement conference due to the court's calendar, the parties may seek an
13 extension of the initial 120 day stay.

14 Once the settlement conference is scheduled, at least seven days prior to conference, the
15 parties shall submit to the assigned settlement judge a confidential settlement conference
16 statement. The parties' confidential settlement conference statement shall include the following:
17 (a) names and locations of the parties; (b) a short statement of the facts and alleged damages; (c) a
18 short procedural history; (d) an analysis of the risk of liability, including a discussion of the
19 efforts made to investigate the allegations; and (e) a discussion of the efforts that have been made
20 to settle the case.

21 In accordance with the above, IT IS HEREBY ORDERED that:

22 1. This action is stayed for 120 days to allow the parties an opportunity to settle their
23 dispute before a responsive pleading is filed, or the discovery process begins. Except as provided
24 herein or by subsequent court order, no other pleadings or other documents may be filed in this
25 case during the stay of this action. The parties shall not engage in formal discovery, but the
26 parties may elect to engage in informal discovery.

27 _____
28 ¹ If the case does not settle, the court will set a date for the filing of a responsive pleading at the
conference.

1 2. Within thirty days from the date of this order, the parties shall file the attached notice,
2 informing the court whether they waive disqualification for the undersigned to hold the settlement
3 conference, or whether they choose to have the settlement conference held by a different judge.

4 3. Within thirty days from the date of this order, the assigned Deputy Attorney General
5 shall contact this court's Courtroom Deputy, at (916) 930-4187, to schedule the settlement
6 conference.


7 4. At least seven days prior to the settlement conference, each party shall submit a
8 confidential settlement conference statement, as described above, to the judge assigned for
9 settlement.

10 5. If a settlement is reached at any point during the stay of this action, the parties shall file
11 a Notice of Settlement in accordance with Local Rule 160.

12 6. The Clerk of the Court shall serve copies of (a) plaintiff's complaint (ECF No. 1), (b)
13 the screening order (ECF No. 6), and (c) the instant order, on Supervising Deputy Attorney
14 General Monica Anderson.

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

19 Dated: June 20, 2017

20
21 
22 _____
23 KENDALL J. NEWMAN
24 UNITED STATES MAGISTRATE JUDGE

25
26
27
28 /mp/cw/parn2692.adr.post.usm.kjn

