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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

LUIS MANUEL GARCES,  
Plaintiff,  
v.  
J. PICKETT, et al.,  
Defendants.

No. 2:17-cv-0319 JAM AC P

ORDER

Plaintiff is a state prisoner proceeding pro se and in forma pauperis with this civil rights action filed pursuant to 42 U.S.C. § 1983. By order filed March 19, 2019, this case was referred to the court’s Post-Screening ADR (Alternative Dispute Resolution) Project and stayed for a period of 120 days. ECF No. 53. That order provided defendants the opportunity to request opting out of the ADR Project based on a good faith belief that a settlement conference would be a waste of resources. Id. at 2. Defendants now request to opt out of the Post-Screening ADR Project and vacate the settlement conference. ECF No. 58. Having reviewed the request, the court finds good cause to grant it.

Accordingly, IT IS HEREBY ORDERED that:

1. Defendants’ request to opt out of the Post-Screening ADR Project (ECF No. 58) is GRANTED.
2. The stay of this action, commencing March 19, 2019 (ECF No. 53), is LIFTED.

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3. The May 20, 2019 settlement conference before Magistrate Judge Kendall Newman is VACATED.

4. The writ of habeas corpus ad testificandum directing the Warden to produce plaintiff for the settlement conference (ECF No. 57) is VACATED.

5. The Clerk of the Court is directed to serve a copy of this order on the Warden of California Men's Colony at P.O. Box 8101, San Luis Obispo, California 93409, and a courtesy copy by fax on the Litigation Coordinator at California Men's Colony at (805) 547-7791.

6. By separate order, the court will set a discovery and motion schedule for this case.

IT IS SO ORDERED.

DATED: April 8, 2019

  
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ALLISON CLAIRE  
UNITED STATES MAGISTRATE JUDGE