1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF CALIFORNIA 10 11 TOM M. FRANKS, No. 2:17-cv-01056-KJM-CKD P 12 Plaintiff. 13 ORDER REFERRING CASE TO ADR AND v. STAYING CASE FOR 120 DAYS 14 J. CLARK KELSO, et al, 15 Defendants. 16 17 Plaintiff is a state prisoner proceeding pro se and in forma pauperis in this civil rights action filed pursuant to 42 U.S.C. § 1983. In light of the procedural posture of this case and the 18 19 attendant delay in scheduling jury trials due to the COVID-19 pandemic, the court has determined 20 that this case will benefit from a settlement conference. 21 Within thirty days from the date of this order, the assigned Deputy Attorney General shall 22 contact this court's Courtroom Deputy, Judy Streeter, at (916) 930-4004, to schedule the 23 settlement conference. If difficulties arise in scheduling the settlement conference due to the 24 court's calendar, the parties may seek an extension of the initial 120 day stay. 25 Once the settlement conference is scheduled, at least seven days prior to conference, the 26 parties shall submit to the assigned settlement judge a confidential settlement conference 27 statement. The parties' confidential settlement conference statement shall include the following: 28 (a) names and locations of the parties; (b) a short statement of the facts and alleged damages; (c) a 1

1 short procedural history; (d) an analysis of the risk of liability, including a discussion of the 2 efforts made to investigate the allegations; and (e) a discussion of the efforts that have been made 3 to settle the case. 4 In accordance with the above, IT IS HEREBY ORDERED that: 5 1. This action is stayed for 120 days to allow the parties an opportunity to settle their 6 dispute prior to trial. Except as provided herein or by subsequent court order, no other pleadings 7 or other documents may be filed in this case during the stay of this action. 8 2. Within thirty days from the date of this order, the assigned Deputy Attorney General 9 shall contact this court's Courtroom Deputy, Judy Streeter, at (916) 930-4004, to schedule the 10 settlement conference. 11 3. At least seven days prior to the settlement conference, each party shall submit a 12 confidential settlement conference statement, as described above, to the judge assigned for 13 settlement. 14 4. If a settlement is reached at any point during the stay of this action, the parties shall file 15 a Notice of Settlement in accordance with Local Rule 160. 16 5. The parties remain obligated to keep the court informed of their current address at all 17 times during the stay and while the action is pending. Any change of address must be reported 18 promptly to the court in a separate document captioned for this case and entitled "Notice of 19 Change of Address." See L.R. 182(f). 20 Dated: January 24, 2022 21 UNITED STATES MAGISTRATE JUDGE 22 23 24 12/fran1056.ADR.postMSJ.docx 25 26

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