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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

MICHAEL TENORE,  
Plaintiff,  
v.  
E. HOROWITZ, ET AL.,  
Defendants.

No. 2:17-cv-1802 KJM KJN P

ORDER

Plaintiff is a state prisoner, proceeding without counsel. This case proceeds on plaintiff's claims concerning his requests for in-cell feeding and a wedge pillow, as well as plaintiff's claims that Dr. Smith and Dr. Horowitz failed to timely diagnose plaintiff's cancer and improperly delayed plaintiff's surgery. On September 9, 2019, the district court referred this matter back to the undersigned for all further pretrial proceedings. (ECF No. 57.)

By order filed September 20, 2019, the parties were directed to inform the court whether a settlement conference is appropriate. Both parties responded. Following review of the parties' filings, the undersigned finds that a further settlement conference would not be appropriate.

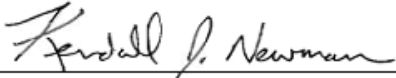
On October 9, 2019, defendants filed a motion for summary judgment. Because the court had not yet addressed the scheduling of a settlement conference, plaintiff is granted an extension of time in which to oppose the motion for summary judgment.

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Accordingly, IT IS HEREBY ORDERED that plaintiff is granted thirty days from the date of this order in which to file an opposition to defendants' motion for summary judgment.

Dated: November 4, 2019

  
KENDALL J. NEWMAN  
UNITED STATES MAGISTRATE JUDGE

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Defendants.

No. 2:17-cv-1802 KJM KJN P

NOTICE OF ELECTION RE SETTLEMENT  
CONFERENCE

1. As required by court order, the parties notify the court of the following election:

\_\_\_ The party signing below requests a settlement conference.

\_\_\_ 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