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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

BERNARD R JACKSON,

No C-08-5207 VRW (PR)

Plaintiff,

ORDER REFERRING PLAINTIFF TO  
FEDERAL PRO BONO PROJECT;  
CONTINUING STAY OF PROCEEDINGS

v

BEN CURRY, WARDEN, et al,

(Doc ## 34 & 38)

Defendant(s).

\_\_\_\_\_/

Per order filed on March 2, 2010, the court granted defendant's motion for summary judgment on plaintiff's equal protection claim, but denied summary judgment on plaintiff's retaliation claim against sole defendant Lawrence in this prisoner action for damages under 42 USC § 1983. The court found that, when viewed in the light most favorable to plaintiff, there are genuine issues for trial on plaintiff's retaliation claim and that qualified immunity is not in order as a matter of law. Doc #29. The court referred the matter to Magistrate Judge Vadas pursuant to the Pro Se Prisoner Mediation Program for mediation proceedings that were held on July 6, 2010, but the matter did not settle. Doc ## 30 & 33.

1 Defendant has filed a motion to continue the stay of  
2 proceedings that went into effect on March 3, 2010, Doc #34, which  
3 the court GRANTS. Plaintiff has filed a motion seeking appointment  
4 of counsel. Doc #38.

5 Plaintiff being in need of counsel to assist him in  
6 further proceedings in this matter, and good and just cause  
7 appearing,

8 IT IS HEREBY ORDERED that plaintiff shall be referred to  
9 the Federal Pro Bono Project in the manner set forth below:


10 (1) The clerk shall forward to the Federal Pro Bono  
11 Project: (a) a copy of this order, (b) a copy of the court file,  
12 and (c) a brief memorandum outlining the facts and procedural  
13 posture of the action.

14 (2) Upon an attorney being located to represent  
15 plaintiff, that attorney shall be appointed as counsel for plaintiff  
16 in this matter until further order of the court.

17 (3) The stay of proceedings currently in place is  
18 continued until four weeks from the date an attorney is appointed to  
19 represent plaintiff in this action.

20 The clerk is directed to terminate the motions listed  
21 under docket numbers 34 and 38.

22  
23 IT IS SO ORDERED.

24   
25 \_\_\_\_\_  
26 VAUGHN R WALKER  
27 United States District Chief Judge

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