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21 UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF CALIFORNIA
 22 SAN FRANCISCO DIVISION

23 LEON L. MEYERS,

24 Plaintiff,

25 v.

26 ALAMEDA COUNTY PRISON HEALTH
 27 SERVICES, et al.,

28 Defendant.

Case No. C-09-04643-TEH (NJV)

**JOINT STIPULATION AND ~~PROPOSED~~
 ORDER TO CANCEL SETTLEMENT
 CONFERENCE**

Judge: Hon. Thelton E. Henderson
 Magistrate Judge: Nandor J. Vadas
 Conference Date: March 7, 2012

29 To avoid the waste of significant party and judicial resources, Plaintiff Leon L. Meyers
 30 and Defendant Lynn C. Bowers, L.V.N., jointly request cancellation of the third settlement
 31 conference with Magistrate Judge Vadas (currently set for March 7, 2012).
 32

1 By way of background, Mr. Meyers is a state prisoner who originally sued Ms. Bowers *in*
2 *pro se*. On January 24, 2011, the Court denied Ms. Bowers's first summary judgment motion,
3 and simultaneously referred the parties to Magistrate Judge Vadas for a settlement conference.
4 (Doc. 40.) Ms. Bowers subsequently discovered more information that she contends would
5 necessitate summary judgment, and advised Judge Vadas accordingly during the March 21, 2011
6 settlement conference.

7 On April 19, 2011, Judge Vadas conducted a telephonic status conference, which he
8 transformed into a settlement conference. (Doc. 53.) Judge Vadas concluded at that time:

9 The parties remain too far apart in terms of settlement negotiations for a further
10 settlement conference to be fruitful at this time. If, after the ruling on [the second
11 motion for] summary judgment is entered, the parties determine a further
12 settlement conference may be useful, the parties may contact the court to request
another date.

13 *Id.*

14 The Court subsequently appointed counsel for Plaintiff, who recommended that Mr.
15 Meyers revisit the possibility of settlement. Based on the understanding that Mr. Meyers would
16 significantly reduce his settlement aspirations, Ms. Bowers agreed not to oppose Mr. Meyers's
17 attorneys' request for a third settlement conference. (*See* Doc. 64, p. 5.) That settlement
18 conference has been set for March 7, 2012. However, following discussion with counsel, Mr.
19 Meyers remains disinclined to reduce his settlement aspirations, such that counsel for both sides
20 agree another settlement conference at this time would be an utter waste.

21 In sum, nothing has changed from the last settlement conference when Magistrate Judge
22 Vadas concluded "a further settlement conference [would not] be fruitful." Thus, although the
23 parties requested the referral for a third settlement conference, they now respectfully request that
24 the Court cancel the referral.

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Dated: February 21, 2012

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Dated: February 21, 2012

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/s/ Matthew M. Grigg
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Attorneys for Defendant Lynn C. Bowers, L.V.N.

ORDER

Pursuant to the parties' stipulation, the order requiring them to participate in another settlement conference is hereby vacated.

IT IS SO ORDERED.

Dated: February 22, 2012.

