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E-Filed 1/3/13*

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

RICHARD EARL GEORGE,
Plaintiff,
v.
R. REYNOSO, et al.,
Defendants.

No. C 11-0876 RS (PR)

**ORDER REQUESTING BRIEFING
FROM PLAINTIFF ON HIS MOTION
FOR THE APPOINTMENT OF
COUNSEL**

United States District Court
For the Northern District of California

Plaintiff requests counsel to assist him at a court-ordered settlement conference with defendants. (Docket No. 74.) According to plaintiff, he requires such assistance because he is a mute and has hearing problems, making it difficult to communicate and understand. Before the Court can rule on such a request — or determine if another sort of assistance would be more appropriate — further briefing is requested on the state of plaintiff’s ability to communicate and understand.

Accordingly, plaintiff shall file within 30 days from the date of this order, a short letter brief, explaining in detail his ability to communicate with others, and what forms of assistance he needs to be able to do so. Plaintiff shall specifically address whether he is able to communicate using American Sign Language. **If plaintiff fails to file such briefing**


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1 within 30 days, the Court will deny summarily (and with prejudice) his motion for the
2 appointment of counsel. Defendants are granted 30 days to respond to plaintiff's briefing.

3 The settlement conference set for February 7, 2013 is hereby VACATED. The
4 settlement conference shall be rescheduled within 90 days after the disposition of plaintiff's
5 motion. The settlement proceedings will consist of one or more conferences as determined
6 by Judge Vadas. Judge Vadas shall coordinate a time and date for the conferences with all
7 interested parties and/or their representatives and, within 120 days after the conclusion of the
8 settlement conference, file a report regarding the proceedings. Plaintiff must attend all
9 conferences scheduled by Judge Vadas. Failure to attend even one conference may
10 result in the dismissal of this action with prejudice pursuant to Federal Rule of Civil
11 Procedure 41(b) for failure to prosecute. The Clerk shall forward a copy of this order to
12 Judge Vadas's chambers.

13 **IT IS SO ORDERED.**

14 DATED: January 3, 2013


RICHARD SEEBORG
United States District Judge