

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

3 JUMAH ALI-THOMAS MOORE,

No. C 06-2105 SBA (PR)

4 Plaintiff,

**ORDER REFERRING CASE TO
 FEDERAL PRO BONO PROJECT AND
 SETTING CASE MANAGEMENT
 CONFERENCE**

5 v.

6 M. THOMAS, et al.,

7 Defendants.
 8 _____/

9 Plaintiff Jumah Ali-Thomas Moore is a state prisoner who filed this pro se civil action. In an
 10 Order dated August 27, 2009, the Court granted in part and denied in part Defendants' motion for
 11 summary judgment. The Court found that, when viewed in the light most favorable to Plaintiff,
 12 there are genuine issues for trial with respect to Plaintiff's excessive force claim against Defendants
 13 Zamora, Pulido, Thomas, Baez, and Tsai. The Court also granted Plaintiff's motion for
 14 reconsideration of its dismissal under Rule 4(m) of the Federal Rules of Civil Procedure of Plaintiff's
 15 claims against Defendants Matthews, Arroyo, and Vogel-Pace. The Court directed Defendants'
 16 attorney, Deputy Attorney General Trace O. Maiorino, to make an appearance on behalf of
 17 Defendants Matthews, Arroyo, and Vogel-Pace in order for them to participate in settlement
 18 proceedings in this action. On August 28, 2009, Mr. Maiorino filed a waiver of reply on behalf of
 19 Defendants Matthews, Arroyo, and Vogel-Pace, as well as a demand for a jury trial on behalf of all
 20 Defendants. The Court referred the parties to Magistrate Judge Nandor Vadas for Court-mandated
 21 settlement proceedings, which were held on September 22, 2009. The case did not settle.
 22 Therefore, the case will proceed to trial.

23 The Court has determined that it would be beneficial to have counsel assist Plaintiff in
 24 further proceedings in this matter. Accordingly, good and just cause appearing, IT IS HEREBY
 25 ORDERED that this case shall be referred to the Court's Federal Pro Bono Project in the manner set
 26 forth below:

27 1. The Clerk of the Court shall send: (1) a copy of this Order; (2) copies of court
 28 documents that are not available electronically in the above-entitled action; (3) a docket sheet; and

1 (4) a memorandum outlining the facts and procedural posture of the action to the Federal Pro Bono
2 Project volunteer at the address provided to the Clerk by the Court.

3 2. Upon an attorney being located to represent Plaintiff, that attorney shall be appointed
4 as counsel for Plaintiff in this matter until further order of the Court.

5 3. All further proceedings will be stayed until **two (2) weeks** from the date an attorney
6 is appointed to represent Plaintiff in this action.

7 4. A case management conference is set for **Thursday, November 12, 2009 at 3:45**
8 **p.m.** and will proceed telephonically. Plaintiff's attorney, if appointed before the aforementioned
9 date, shall be responsible for arranging the conference call. If an attorney has not yet been located
10 for Plaintiff at that time, then Defendants' attorney, Mr. Maiorino, shall be responsible for arranging
11 the conference call. All parties shall be on the line and shall call (510) 637-3559 at the above
12 indicated date and time.

13 The parties must submit a joint Case Management Conference Statement no later than **ten**
14 **(10) days** prior to the Case Management Conference that complies with the Standing Order for All
15 Judges of the Northern District of California and the Standing Order of this Court. The parties must
16 also indicate what discovery remains to be done, the amount of time needed for discovery, whether
17 any further motions will be filed, and when they will be ready for trial. The Case Management
18 Conference Statement need not be jointly prepared and may be submitted separately if an attorney
19 has not been located for Plaintiff when the statement is due.

20 IT IS SO ORDERED.

21 DATED: 10/2/09


SAUNDRA BROWN ARMSTRONG
United States District Judge

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UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

JUMAH ALI-THOMAS MOORE,
Plaintiff,

Case Number: CV06-02105 SBA

CERTIFICATE OF SERVICE

v.

M THOMAS et al,

Defendant.

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on October 5, 2009, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Jumah Ali-Thomas Moore D-62389
California Medical Facility-Vacaville
P.O. Box 2000
Vacaville, CA 95676

Dated: October 5, 2009

Richard W. Wiekling, Clerk
By: LISA R CLARK, Deputy Clerk