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

RICK MADSEN,	)	No. C 09-5457 SBA (pr)
	)	
Plaintiff,	)	<b><u>ORDER</u></b>
v.	)	
	)	
SUE E. RISENHOOVER, et al.,	)	
	)	
Defendants.	)	

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In an Order dated March 29, 2013, the Court granted in part and denied in part Defendants' motion for summary judgment. Prior to the summary judgment ruling, this case was referred to the *Pro Se* Prisoner Settlement Program and did not settle. However, the Court determined that in light of its March 29, 2013 Order and "given the stage of the proceedings, the parties now are in a better position to evaluate their respective cases for purposes of settlement." (Mar. 29, 2013 Order at 32.) Therefore, the case was referred to Magistrate Judge Nandor Vadas for a settlement conference, again pursuant to the *Pro Se* Prisoner Settlement Program. Thereafter, Magistrate Judge Vadas scheduled the settlement conference for June 21, 2013 at 1:00 p.m. at Pelican Bay State Prison.


On May 7, 2013, Plaintiff filed a letter regarding the appointment of pro bono counsel, which was mentioned in the Court's summary judgment. That order made reference to "appoint[ing] counsel" for Plaintiff in a "separate order." (Mar. 29, 2013 Order at note 10.) Because the Court referred the case to the *Pro Se* Prisoner Settlement Program, no separate order appointing counsel will be issued at this time. The *Pro Se* Prisoner Settlement Program is intended for *pro se* litigants; plaintiffs who are represented by appointed counsel cannot participate in the program. Thus, to ensure Plaintiff's eligibility to participate in the settlement program, the Court will *not* appoint pro bono counsel to represent Plaintiff during *settlement proceedings*; Plaintiff shall represent himself during the settlement conference. Plaintiff shall keep Magistrate Judge Vadas and Defendants' counsel apprised of any scheduling concerns.

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The Clerk of the Court shall provide a copy of this Order to Magistrate Judge Vadas.

IT IS SO ORDERED.

DATED: 5/21/13

  
SAUNDRA BROWN ARMSTRONG  
United States District Judge

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UNITED STATES DISTRICT COURT

FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

RICK MADSEN,

Plaintiff,

v.

SUE E. RISENHOOVER et al,

Defendant.

Case Number: CV09-05457 SBA

**CERTIFICATE OF SERVICE**

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 May 23, 2013, 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.

Rick Madsen E10400  
Pelican Bay State Prison  
P.O. Box 7500  
5905 Lake Earl Drive  
Crescent City, CA 95531

Dated: May 23, 2013

Richard W. Wieking, Clerk  
By: Lisa Clark, Deputy Clerk