

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

VINCENT C. BRUCE,
Plaintiff,
vs.
EDDIE YLST, et al.,
Defendants.

) No. C 99-4492 RMW (PR)
)
) ORDER RE-OPENING CASE;
) DIRECTING DEFENDANTS TO
) FILE RESPONSE TO MOTION TO
) ENFORCE SETTLEMENT
) AGREEMENT
)
) (Docket Nos. 228, 229)

Plaintiff, a state prisoner proceeding pro se, filed a federal civil rights complaint pursuant to 42 U.S.C. § 1983, challenging prison gang validation procedures. On September 13, 2001, the court granted defendants' motion for summary judgment and terminated the case. On February 3, 2004, the Ninth Circuit affirmed in part, reversed in part, and remanded in part. See Bruce v. Ylst, 351 F.3d 1283 (9th Cir. 2003). Upon remand, the parties reached a settlement agreement, and entered into a stipulated dismissal. (Doc. No. 226.)

On March 15, 2013, plaintiff filed a motion to enforce the settlement agreement, motion to appoint counsel, and motion to permit discovery. The case was thereafter re-assigned to the undersigned judge.

The clerk is directed to RE-OPEN this action. **Within forty-five (45) days** of the filing date of this order, defendants are directed to file a response to plaintiff's motion to enforce the settlement agreement. Plaintiff shall file his reply **fourteen (14) days** thereafter.

1 Plaintiff's motion for discovery and to appoint counsel are DENIED without prejudice at
2 this time.

3 IT IS SO ORDERED.

4 DATED: _____


RONALD M. WHYTE
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

BRUCE, ET AL,

Plaintiff,

v.

YLST, ET AL et al,

Defendant.

Case Number: CV99-04492 RMW

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 13, 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.

Vincent C. Bruce J-84086
PBSP
D6-101
P.O. Box 7500
Crescent City, CA 95532

Dated: May 13, 2013

Richard W. Wieking, Clerk
By: Jackie Lynn Garcia, Deputy Clerk