

United States District Court
For the Northern District of California

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E-FILED - 3/10/10

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

DANIEL GENE SCHAFER,

No. C 08-1881 RMW (PR)

Plaintiff,

ORDER REFERRING CASE TO FEDERAL
PRISONER PRO BONO PROJECT

vs.

BEN CURRY, et al.,

Defendants.

_____/

Plaintiff, a state prisoner proceeding pro se, filed this civil rights action. Plaintiff claimed that defendants were deliberately indifferent to his serious medical needs in violation of the Eighth Amendment right to be free from cruel and unusual punishment, and committed medical negligence under California state law. On June 3, 2009, the court referred the instant case to the court's Pro Se Prisoner Settlement Program and stayed the case pending settlement proceedings. On March 1, 2010, Judge Vadas reported that the case did not settle. As neither dispositive motions nor settlement proceedings have fully resolved the claims in this case, this matter is ready for trial.

Because this matter is ready for trial, plaintiff is incarcerated, plaintiff needs the assistance of counsel, and plaintiff requests counsel, the court GRANTS plaintiff's second motion for appointment of counsel. The court further orders that:

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- a. plaintiff is hereby referred to the Federal Prisoner Pro Bono Project for location of counsel;
- b. upon an attorney being located to represent plaintiff, that attorney shall be appointed as counsel for plaintiff in this matter until further order of the court; and
- c. all proceedings in this action are stayed until four weeks from the date an attorney is appointed to represent plaintiff in this action. Once an attorney is appointed, the court will schedule a status conference to set pretrial and trial dates.

This order terminates docket number 63.

IT IS SO ORDERED.

DATED: 3/10/10


RONALD M. WHYTE
United States District Judge