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

KENNETH DEAN BARKSDALE,	)	No. C 09-5028 LHK (PR)
Plaintiff,	)	ORDER REFERRING CASE TO PRO SE
vs.	)	PRISONER SETTLEMENT PROGRAM
J. CERMENO, et al.,	)	
Defendants.	)	
_____	)	

Plaintiff Kenneth Dean Barksdale, proceeding *pro se*, filed a civil rights complaint pursuant to 42 U.S.C. § 1983 against prison officials at Salinas Valley State Prison, where he was formerly housed. The Court ordered Plaintiff’s complaint served on named Defendants. On September 8, 2010, Defendants filed a Notice of Intention Not to File Dispositive Motion.

Prior to setting this matter for trial, the Court finds good cause to refer this matter to Magistrate Judge Nandor Vadas pursuant to the Pro Se Prisoner Settlement Program for settlement proceedings on Plaintiff’s cognizable claim of excessive force. The proceedings will consist of one or more conferences as determined by Magistrate Judge Vadas. The conferences shall be conducted with Defendants, or the representative for Defendants, attending by videoconferencing if they so choose. If these settlement proceedings do not resolve this matter, the Court will then set this matter for trial and consider a renewed motion from Plaintiff for appointment of counsel.

1 The instant case is REFERRED to Magistrate Judge Vadas pursuant to the Pro Se  
2 Prisoner Settlement Program for settlement proceedings on the remaining claims in this action,  
3 as described above. The proceedings shall take place within **ninety (90) days** of the filing date  
4 of this order, or as soon as practicable. Magistrate Judge Vadas shall coordinate a time and date  
5 for a settlement conference with all interested parties or their representatives and, within **ten (10)**  
6 **days** after the conclusion of the settlement proceedings, file with the Court a report regarding the  
7 prisoner settlement proceedings. If these settlement proceedings do not resolve this matter,  
8 Plaintiff can file a renewed motion for appointment of counsel, and the Court will then set this  
9 matter for trial.

10 The Clerk of the Court shall mail a copy of the court file, including a copy of  
11 this Order, to Magistrate Judge Vadas in Eureka, California. The instant case is STAYED  
12 pending the settlement conference proceedings.

13 IT IS SO ORDERED.

14 DATED: 9/20/2010

  
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LUCY H. KOH  
United States District Judge