



1 the Court indicating that he would like to settle this case for the terms he alleges were offered to him  
2 in the mediation conference and he listed the alleged terms. Docket No. 23. On July 3, 2013, the  
3 Plaintiff filed a second notice with the Court indicating that he would accept alternative settlement  
4 offers and again discussed with specificity the settlement discussions which took place during the  
5 May 3, 2013, mediation. Docket No. 25. The Defendants have moved to strike both of the Plaintiff's  
6 notices for disclosing confidential settlement discussions.

7 **DISCUSSION**

8 “It is well established that ‘[d]istrict courts have inherent power to control their docket.’ ”  
9 *Ready Transp., Inc. v. AAR Mfg., Inc.*, 627 F.3d 402, 404 (9th Cir. 2010) (quoting *Atchison,*  
10 *Topeka & Santa Fe Ry. v. Hercules, Inc.*, 146 F.3d 1071, 1074 (9th Cir.1998) (alteration in  
11 original). This includes the power to strike items from the docket as a sanction for litigation  
12 conduct. *Id.* (citing *Lazy Y Ranch Ltd. v. Behrens*, 546 F.3d 580, 586-87, 588 (9th Cir.2008)). For  
13 example, in *Ready Transp., Inc.*, the Ninth Circuit found that it was within the jurisdiction of the  
14 court to strike a confidential settlement agreement from the public docket when it had been  
15 improperly filed on the docket by the Plaintiff. *Id.*

16 Here, similar to the plaintiff in *Ready Transp., Inc.*, the Plaintiff has filed information  
17 about the confidential settlement discussions on the public docket. The Court order setting the  
18 mediation conference clearly states that, “[t]he discussions and negotiations that occur during the  
19 mediation conference are confidential. The judges assigned to this case will not be informed by  
20 the mediator or by any party or attorney about what was discussed or what offers were made  
21 during the mediation conference.” Docket No. 19 at 3. The notices the Plaintiff filed on Docket  
22 Nos. 23 and 25 are in violation of this Order. Accordingly, the Court finds that striking those  
23 notices from the public docket is an appropriate sanction.

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**CONCLUSION**

Based on the foregoing, and good cause appearing therefore,

**IT IS HEREBY ORDERED** that Defendants' Motion to Strike Plaintiff's Notice to the Court and Notice to the Court - and Request for Submission (#26) is **GRANTED**;

**IT IS FURTHER ORDERED** that the Clerk shall **STRIKE Document Nos. 23 and 25** from the docket.

DATED this 8th day of August, 2013.

  
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**NANCY J. KOPPE**  
**United States Magistrate Judge**