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5	UNITED STATES DISTRICT COURT	
6	DISTRICT OF NEVADA	
7	LARRY GIBBS, JR.,	$\rangle$
8	Plaintiff,	
9	٧.	2:15-cv-01958-GMN-NJK
10	DR. MARIA FEY et al.,	ORDER
11	Defendants.	
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13	I. DISCUSSION	

On March 22, 2016, this Court entered a screening order granting Plaintiff leave to
amend. (ECF No. 2 at 8). The screening order stated that, if Plaintiff chose not to file a first
amended complaint curing the stated deficiencies of his complaint, the action would proceed
against Defendant Zieman for deliberate indifference to serious medical needs only. (*Id.*). On
April 18, 2016, Plaintiff notified the Court that he did not want to file an amended complaint but
did want to proceed against Defendant Zieman. (ECF No. 3 at 1).

On April 22, 2016, this Court issued an order staying the case for 90 days to give
Plaintiff and Defendant Zieman an opportunity to settle their dispute before the filing fee was
paid, an answer was filed, or the discovery process began. (ECF No. 4 at 2). The Court
directed the Attorney General's Office to notify the Court whether it would enter a limited notice
of appearance on behalf of Defendant Zieman for the purpose of settlement. (*Id.* at 3).

On May 13, 2016, the Attorney General's Office informed the Court that it could not
 make a limited appearance for the purpose of settlement because Defendant Zieman, the only
 remaining defendant in this action, was no longer employed by the Nevada Department of
 Corrections. (ECF No. 6 at 1). The Attorney General's Office explained that it could not

appear on Defendant Zieman's behalf because it had not received a request for representation
 from him. (*Id.*).

In light of the Attorney General Office's notice, the Court now orders the Attorney
General's Office to send a letter to Defendant Zieman at his last known address informing him
that he is a defendant in this lawsuit. In that letter, the Attorney General's Office shall ask
Defendant Zieman if he would like the Office to represent him in this matter. Within 30 days
from the date of this order, the Attorney General's Office shall file an updated notice with the
Court informing the Court whether it will be entering a limited notice of appearance on behalf
of Defendant Zieman for the purpose of settlement in light of that letter.

If the Attorney General's Office enters a limited notice of appearance on behalf of Defendant Zieman for the purpose of settlement, the Court shall schedule an early inmate mediation conference. However, if the Attorney General's Office notifies the Court that it will not be entering a limited notice of appearance in light of its communication with Defendant Zieman, the Court will issue an order that: (1) removes this case from the early inmate mediation program, (2) rules on the application to proceed *in forma pauperis*, and (3) begins the service process with the U.S. Marshal's Office.

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## II. CONCLUSION

For the foregoing reasons, IT IS ORDERED that the Attorney General's Office shall send a letter to Defendant Zieman at his last known address informing him of this lawsuit and asking whether he seeks to have the Office represent him in this lawsuit.

IT IS FURTHER ORDERED that, within 30 days from the date of this order, the
 Attorney General's Office shall file an updated notice with the Court informing the Court about
 Defendant Zieman's representation status.

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IT IS FURTHER ORDERED that, within 30 days from the date of this order, the Attorney General's Office shall advise the Court whether it will enter a limited notice of appearance on behalf of Defendant Zieman for the purpose of settlement. No defenses or objections, including lack of service, shall be waived as a result of the filing of the limited notice of appearance. IT IS FURTHER ORDERED that, if this case remains in the early inmate mediation program, the Court extends the 90-day stay and the deadline for the 90-day stay status report until 5 days after any scheduled mediation. DATED: This 16th day of June, 2016. NANCY J. KOPPE United States Magistrate Judge