

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

LUIS MANUEL GARCES,

Plaintiff,

v.

J. PICKETT, et al.,

Defendants.

No. 2:17-cv-0319 JAM AC P

ORDER

Plaintiff is a state prisoner proceeding pro se and in forma pauperis with this civil rights action filed pursuant to 42 U.S.C. § 1983. By order filed March 19, 2019, this case was referred to the court's Post-Screening ADR (Alternative Dispute Resolution) Project and stayed for a period of 120 days. ECF No. 53. That order provided defendants the opportunity to request opting out of the ADR Project based on a good faith belief that a settlement conference would be a waste of resources. *Id.* at 2. Defendants now request to opt out of the Post-Screening ADR Project and vacate the settlement conference. ECF No. 58. Having reviewed the request, the court finds good cause to grant it.

Accordingly, IT IS HEREBY ORDERED that:

1. Defendants' request to opt out of the Post-Screening ADR Project (ECF No. 58) is GRANTED.

2. The stay of this action, commencing March 19, 2019 (ECF No. 53), is LIFTED.

1           3. The May 20, 2019 settlement conference before Magistrate Judge Kendall Newman is  
2 VACATED.

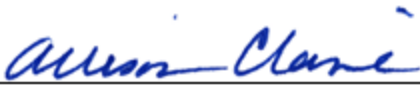
3           4. The writ of habeas corpus ad testificandum directing the Warden to produce plaintiff  
4 for the settlement conference (ECF No. 57) is VACATED.

5           5. The Clerk of the Court is directed to serve a copy of this order on the Warden of  
6 California Men's Colony at P.O. Box 8101, San Luis Obispo, California 93409, and a courtesy  
7 copy by fax on the Litigation Coordinator at California Men's Colony at (805) 547-7791.

8           6. By separate order, the court will set a discovery and motion schedule for this case.

9 IT IS SO ORDERED.

10 DATED: April 8, 2019

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12 ALLISON CLAIRE  
13 UNITED STATES MAGISTRATE JUDGE  
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