UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

WESLEY COTTON, Plaintiff, v. MEDINA, *et al*., Defendants.	Case No. 1:22-cv-00568-JLT-EPG (PC) ORDER SETTING SETTLEMENT CONFERENCE **Magistrate Judge Christopher D. Baker** **May 13, 2025 at 10:00 am**

Plaintiff Wesley Cotton is proceeding *pro se* and *in forma pauperis* in this civil rights action filed pursuant to 42 U.S.C. § 1983. The court has determined that this case will benefit from a settlement conference. Therefore, this case will be referred to Magistrate Judge Christopher D. Baker to conduct a settlement conference on May 13, 2025, at 10:00 a.m. The settlement conference will be conducted by remote means, with all parties appearing by Zoom video conference. The court will issue the necessary transportation order in due course.

Accordingly, IT IS ORDERED:

1. This case is set for a settlement conference before Magistrate Judge Christopher D. Baker on May 13, 2025 at 10:00 a.m. The settlement conference will be conducted by remote means, with all parties appearing by Zoom video conference. The Zoom settlement conference invitation will be distributed the week prior, or counsel may contact Cori Boren, Courtroom Deputy for Magistrate Judge Baker, at cboren@caed.uscourts.gov. Any difficulties concerning the Zoom video conference,

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or connecting to the Zoom video conference, shall immediately be reported to Cori Boren. The court will issue a writ of *habeas corpus ad testificandum* to allow for plaintiff's participation, as appropriate.

2. Each party or a representative with full authority to negotiate and enter into a binding settlement agreement shall participate in the conference. The failure of any counsel, party, or authorized person subject to this order to participate in the conference may result in the imposition of sanctions.
3. Consideration of settlement is a serious matter that requires thorough preparation prior to the settlement conference. Participants in the conference must be prepared to discuss the claims, defenses, and damages.
4. If parties have not already engaged in informal settlement negotiations, parties shall do so as follows: No later than **April 22, 2025**, Plaintiff shall submit to Defendants a written itemization of damages and a meaningful settlement demand, including a brief explanation of why such settlement is appropriate, which shall not exceed 5 pages. No later than **April 29, 2025** defendants shall respond with an acceptance of plaintiff's offer or a meaningful counteroffer, including a brief explanation of why such settlement is appropriate. If settlement is achieved, the parties shall file a Notice of Settlement as required by Local Rule 160.
5. If settlement is not achieved informally, the parties shall submit confidential settlement conference statements no later than **May 6, 2025** via email to CDBorders@caed.uscourts.gov. Plaintiff shall mail his statement, clearly captioned "Confidential Settlement Conference Statement," to United States District Court, Attn: Magistrate Judge Christopher D. Baker, 510 19th Street, Suite 200, Bakersfield, CA 93301. Once the parties have submitted their statements, they shall file a "Notice of Submission of Confidential Settlement Conference Statement" with the court. The confidential settlement conference statements themselves **should not be filed** with the court **nor served** on the opposing party.
6. The confidential settlement conference statements should be no longer than 5 pages in length and include:

a. A brief statement of the facts of the case;

b. A brief statement of the claims and defenses of the case, i.e., the statutory, constitutional, or other grounds upon which the claims are founded;

c. A forthright discussion of the strengths and weaknesses of the case and an evaluation of the likelihood of prevailing on the claims or defenses, from the party's perspective, and a description of the major issues in dispute;

d. An estimate of the party's expected costs and time to be expended for further discovery, pretrial matters, and trial;

e. A summary of past settlement discussions, including the informal settlement negotiations required above; a statement of the party's current position on settlement, **including the amount the party would offer and accept to settle** (in specific dollar amounts); and a statement of the party's expectations for settlement discussions;

f. An estimate of any restitution allocated to plaintiff, or other financial obligation assigned to plaintiff, that would affect the parties' settlement discussions;

g. A list of the individuals who will be attending the conference on the party's behalf, including names and, if appropriate, titles; and,

h. If a party intends to discuss the settlement of any other actions or claims not raised in this suit, a brief description of each action or claim, including case number(s), as applicable.

7. The Clerk of the Court is directed to serve a copy of this order via fax on the Litigation Office at California State Prison, Corcoran at (559) 992-7372 or via email.

IT IS SO ORDERED.

Dated: **April 15, 2025**

/s/ Eric P. Grosjean
UNITED STATES MAGISTRATE JUDGE