

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Hernandez v. Gonzales

No. 1:20-cv-01019-SAB (PC) (E.D. Cal. June 23, 2025) · No. 1:20-cv-01019-SAB (PC) · Decided June 23, 2025

SUMMARY

This is an order from the United States District Court for the Eastern District of California setting a settlement conference in a prisoner civil-rights action under 42 U.S.C. § 1983. The order requires the parties to attend the conference on July 28, 2025, submit confidential settlement statements by July 14, 2025, and ensure that representatives with full settlement authority participate.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Stanley A. Boone
DECIDED	June 23, 2025
DOCKET	1:20-cv-01019-SAB (PC)
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff, a state prisoner proceeding pro se under 42 U.S.C. § 1983, was involved in a civil rights action that the district court referred to a magistrate judge for a settlement conference.
PRECEDENTIAL VALUE	Unpublished procedural order; precedential status unknown

TOPICS

mediation civil procedure civil rights

PRACTICE AREAS

civil rights civil procedure settlement and mediation

QUESTIONS PRESENTED

- Whether the case should be set for a mandatory settlement conference.
- What attendance and confidential-submission requirements should govern the settlement conference.

KEY QUOTATIONS

“the district court has the authority to order parties, including the federal government, to participate in mandatory settlement conferences...” (2-3)

“the district court has broad authority to compel participation in mandatory settlement conference[s].” (2-3)

FACTUAL BACKGROUND

Armando Hernandez is a state prisoner proceeding pro se in a civil rights action under 42 U.S.C. § 1983. The court determined that the case would benefit from a settlement conference and scheduled one before a federal magistrate judge at California State Prison, Sacramento. The order required the parties to attend with principals possessing full authority to settle and to submit confidential settlement statements addressing the facts, claims, defenses, proceedings, settlement positions, and related matters.

PROCEDURAL HISTORY

The district court determined that the case would benefit from a settlement conference and issued an order setting the conference for July 28, 2025, at California State Prison, Sacramento. The order also directed the parties to attend with representatives possessing full settlement authority and to submit confidential settlement statements.

DISPOSITION

other

CASES CITED

- United States v. United States District Court for the Northern Mariana Islands, 694 F.3d 1051, 1053, 1057, 1059 (9th Cir. 2012)
- G. Heileman Brewing Co., Inc. v. Joseph Oat Corp., 871 F.2d 648, 653 (7th Cir. 1989)
- Official Airline Guides, Inc. v. Goss, 6 F.3d 1385, 1396 (9th Cir. 1993)
- Pitman v. Brinker International, Inc., 216 F.R.D. 481, 485-86 (D. Ariz. 2003)
- Pitman v. Brinker International, Inc., 2003 WL 23353478 (D. Ariz. 2003)
- Nick v. Morgan's Foods, Inc., 270 F.3d 590, 596-97 (8th Cir. 2001)

OPINION

(PC) Hernandez v. Ogboehi

PER CURIAM.

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9 UNITED STATES DISTRICT COURT

10 EASTERN DISTRICT OF CALIFORNIA

11

12 ARMANDO HERNANDEZ, No. 1:20-cv-01019-SAB (PC)

13 Plaintiff, ORDER SETTING SETTLEMENT

CONFERENCE

14 v. Date/Time: July 28, 2025, at 9:00 a.m.

15 GONZALES,

Location: California State Prison, Sacramento 16 Defendant. 17 18 Plaintiff is a state prisoner proceeding pro se with a civil rights action pursuant to 42 19 U.S.C. §1983. The court has determined that this case will benefit from a settlement conference. 20 Therefore, this case will be referred to a Magistrate Judge to conduct a settlement conference at 21 the California State Prison, Sacramento (SAC), 100 Prison Road, Represa, CA 95671 on July 28, 22 2025 at 9:00 a.m. The Court will issue any necessary transportation order in due course. 23 In accordance with the above, IT IS HEREBY ORDERED that: 24 1. This case is set for a settlement conference before a federal Magistrate Judge on July 25 28, 2025 at 9:00 a.m. at SAC. 26 2. Parties are instructed to have a principal with full settlement authority present at the 27 Settlement Conference or to be fully authorized to settle the matter on any terms. The 28 individual with full authority to settle must also have “unfettered discretion and 2 authority” to change the settlement position of the party, if appropriate. The purpose 3 behind requiring the attendance of a person with full settlement authority is that the 4 parties’ view of the case may be altered during the face to face conference. An 5 authorization to settle for a limited dollar amount or sum certain can be found not to 6 comply with the requirement of full authority to settle.1 7 3. Parties are directed to submit confidential settlement statements no later than July 14, 8 2025 to spark@caed.uscourts.gov. Plaintiff shall mail his confidential settlement 9 statement to U.S. District Court, 501 I Street, Suite 4-200, Sacramento, California 10 95814 “Attn: Institution Settlement Judge for July 28, 2025” so it arrives no later 11 than July 14, 2025. The envelope shall be marked “CONFIDENTIAL 12 SETTLEMENT STATEMENT.” Parties are also directed to file a “Notice of 13 Submission of Confidential Settlement Statement” (See L.R. 270(d)). 14 Settlement statements should not be filed with the Clerk of the Court nor served on 15 any other party. Settlement statements shall be clearly marked “confidential” with 16 the date and time of the settlement conference indicated prominently thereon. 17 The confidential settlement statement shall be no longer than five pages in length, 18 typed or neatly printed, and include the following: 19 a. A brief statement of the facts of the case. 20 b. A brief statement of the claims and defenses, i.e., statutory or other grounds upon 21 22 1 While the exercise of its authority is subject to abuse of discretion review, “the district court has the authority to order parties, including the federal government, to participate in mandatory settlement 23 conferences... .” United States v. United States District Court for the Northern Mariana Islands, 694 F.3d 1051, 1053, 1057, 1059 (9th Cir. 2012)(“the district court has broad authority to compel participation in mandatory 24 settlement conference[s].”). The term “full authority to settle” means that the individuals attending the mediation conference must be authorized to fully explore settlement options and to agree at that time to any 25 settlement terms acceptable to the parties. G. Heileman Brewing Co., Inc. v. Joseph Oat Corp., 871 F.2d 648, 653 (7th Cir. 1989), cited with approval in Official Airline Guides, Inc. v. Goss, 6 F.3d 1385, 1396 (9th

Cir. 1993). 26 The individual with full authority to settle must also have “unfettered discretion and authority” to change the settlement position of the party, if appropriate. *Pitman v. Brinker Int’l., Inc.*, 216 F.R.D. 481, 485-86 (D. Ariz. 27 2003), amended on recon. in part, *Pitman v. Brinker Int’l., Inc.*, 2003 WL 23353478 (D. Ariz. 2003). The purpose behind requiring the attendance of a person with full settlement authority is that the parties’ view of 28 the case may be altered during the face to face conference. *Pitman*, 216 F.R.D. at 486. An authorization to settle for a limited dollar amount or sum certain can be found not to comply with the requirement of full authority to settle. *Nick v. Morgan’s Foods, Inc.*, 270 F.3d 590, 596-97 (8th Cir. 2001). 1 2 which the claims are founded; a forthright evaluation of the parties’ likelihood of 3 prevailing on the claims and defenses; and a description of the major issues in 4 dispute. 5 c. A summary of the proceedings to date. 6 d. An estimate of the cost and time to be expended for further discovery, pretrial, and 7 trial. 8 e. The relief sought. 9 f. The party’s position on settlement, including present demands and offers and a 10 history of past settlement discussions, offers, and demands. 11 g. A brief statement of each party’s expectations and goals for the settlement 12 conference, including how much a party is willing to accept and/or willing to pay. 13 h. If the parties intend to discuss the joint settlement of any other actions or claims 14 not in this suit, give a brief description of each action or claim as set forth above, 15 including case number(s) if applicable. 16 4. The Clerk of the Court is directed to serve a courtesy copy of this order on the 17 Litigation Office at SAC via fax at (916) 294-3072 or via email. 18 19
20 IT IS SO ORDERED. DAM Le
21 | Dated: _June 23, 2025 _ of ES
STANLEY A. BOONE
22 United States Magistrate Judge 23 24 25 26 27 28