

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
JACKSONVILLE DIVISION**

MARK DAVIS, on behalf of himself and  
all others similarly situated, et al.,

Plaintiffs,

v.

Case No. 3:17-cv-820-J-34PDB

MARK S. INCH, in his official capacity as  
an employee of the Florida Department  
of Corrections, et al.,

Defendants.

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**ORDER**

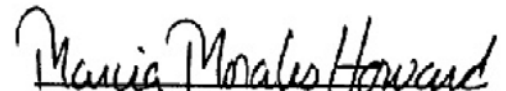
**THIS CAUSE** is before the Court sua sponte. Following up on the discussion at the May 14, 2019 hearing, and with the consent of all involved, the Honorable Harvey E. Schlesinger, Senior United States District Judge, has agreed to act as a mediator in settlement discussions among the parties aimed at resolving this case. To facilitate those efforts, the following terms shall apply to the settlement proceedings:

1. Judge Schlesinger may call upon our United States Magistrate Judges or outside attorneys for assistance as he deems the situation to warrant.
2. The format of the settlement conference or conferences (whether separate private meetings between Judge Schlesinger and the parties, joint sessions at which all parties are asked to attend, telephone conferences, or a combination thereof) will be at the discretion of Judge Schlesinger.

3. If, during the course of the settlement proceedings, Judge Schlesinger decides that other persons or organizations should be invited to participate, Judge Schlesinger may so designate.
4. All proceedings, including any statements made orally or in writing by any party, attorney, or participant in furtherance of these settlement efforts will be privileged in all respects. Thus, the proceedings may not be reported, recorded, placed into evidence, made known to the trial court, or to any other person or entity who is not a participant in the settlement efforts, without Judge Schlesinger's permission; neither shall any such statement or reference to the proceedings be construed for any purpose as an admission against interest in this case or any other case. No participant will be bound by anything said or done during any discussion or conference conducted as part of these proceedings unless a settlement is reached.
5. Judge Schlesinger may direct payment of any reasonable costs of outside assistance used by him in the exercise of these duties, to be apportioned by him among the parties in his discretion.
6. On or before **October 31, 2019**, Judge Schlesinger is respectfully requested to report to the undersigned whether the efforts of the parties have concluded (favorably or otherwise) or whether the efforts remain ongoing.
7. To encourage the parties to devote their entire resources to the settlement conference, the Court directs the Clerk of the Court to administratively close this case, to be reopened when the settlement efforts have concluded.

8. Judge Schlesinger will advise the parties by separate Order as to the next step in this process, which Order will be entered in a new case, In re: Davis v. Inch Settlement Conference, Case No. 3:19-mc-17, a miscellaneous case the Clerk shall open and assign to the Honorable Harvey E. Schlesinger, adding as counsel of record all active counsel listed on the docket from this case and any others as directed by Judge Schlesinger.

**DONE AND ORDERED** in Jacksonville, Florida this 12th day of June, 2019.

  
MARCIA MORALES HOWARD  
United States District Judge

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Copies to:

Hon. Harvey E. Schlesinger

Counsel of Record