

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
EUREKA DIVISION

SETTLEMENT CONFERENCE STANDING ORDER OF JUDGE ILLMAN

(May 10, 2019)

1. Counsel shall ensure that whatever discovery is needed for all sides to evaluate the case for settlement purposes is completed by the date of the Settlement Conference. Counsel shall cooperate in providing discovery informally and expeditiously.

2. Lead trial counsel shall appear at the Settlement Conference with the parties. Any party who is not a natural person shall be represented by the person(s) with unlimited authority to negotiate a settlement. An insured party shall appear with a representative of the carrier with full authority to negotiate up to the limits of coverage. Personal attendance of a party representative will rarely be excused by the court, and then only upon separate written application demonstrating substantial hardship, served on opposing counsel, and lodged as early as the basis for the hardship is known but no later than the Settlement Statement.

3. Each party shall prepare a Settlement Conference Statement which must be submitted in .pdf format to RMIsettlement@cand.uscourts.gov no later than fourteen (14) calendar days prior to the conference. The Settlement Statement need not be served on opposing counsel. The parties are encouraged, however, to exchange Settlement Statements.

4. The Settlement Conference Statement shall not exceed ten (10) pages of text and twenty (20) pages of exhibits and shall include the following:

- a. A brief statement of the facts of the case;
- b. A brief statement of the claims and defenses including, but not limited to, statutory or other grounds upon which the claims are founded, and a candid evaluation of the parties' likelihood of prevailing on the claims and defenses;
- c. A summary of the proceedings to date and any pending motions;
- d. The relief sought, including an itemization of damages; and
- e. The party's position on settlement, including present demands and offers and a history of past settlement discussions.

5. The court's time can best be used to assist the parties in completing their negotiations, not in starting them. Accordingly, Plaintiff(s) must serve a demand in writing no later than fourteen (14) days before the conference and Defendant(s) must respond in writing no later than seven (7) days before the conference. The parties are urged to carefully evaluate their case before taking a settlement position since extreme positions hinder the process.

IT IS SO ORDERED.

Dated: May 10, 2019



ROBERT M. ILLMAN

United States Magistrate Judge