

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
TEXARKANA DIVISION

ALISA NELSON

PLAINTIFF

vs.

Case No. 4:16-cv-04009

CITY OF HOPE, *et al*

DEFENDANTS

SETTLEMENT CONFERENCE SCHEDULING ORDER

This case is set for a Settlement Conference before U. S. Magistrate Judge Barry A. Bryant. All parties and their lead counsel are **ORDERED TO APPEAR** at the U. S. District Court, 500 N. Stateline Ave., 3rd Floor District Courtroom, Texarkana, Arkansas on MONDAY, May 8, 2017 at 10:00 AM.

1. GENERAL INFORMATION

You must bring with you to the settlement conference the client or client representative who has the authority to agree to a full and complete settlement in this case. The conference will be held informally, and all in attendance may feel free to dress casually.

To assist me in preparing for this settlement conference, I ask that each of you provide me with one copy of a confidential letter, not later than seven (7) days prior to the scheduled settlement conference. Do not exchange your letter with opposing counsel and do not file it with the Clerk's office. I will not disclose anything contained in this confidential letter to opposing counsel or to the Judge assigned this case for trial before, during, or after the settlement conference.

Your confidential letters to the Court should candidly discuss the following issues:

- (1) The current status of settlement negotiations, including the most recent settlement demand and settlement offer that has been exchanged between counsel.
- (2) Your current realistic assessment of the actual range within which this case should be settled, including a breakdown of the dollar settlement value that should be assigned

- to each element of Plaintiff's damages.
- (3) The major obstacles to reaching settlement and your best ideas on how each of these obstacles can be overcome.
 - (4) Defense counsel should identify and explain all legal issues that you contend may bar the Plaintiff from recovering on her claims.
 - (5) Plaintiff's counsel should identify and explain why Defendant's defenses to each of Plaintiff's claims will fail.

Settlement conference statements may be mailed to U.S. Magistrate Judge Barry A. Bryant, 500 N. Stateline Ave, Suite 202, Texarkana, AR 71854; faxed to (870) 773-2014, or emailed [Adobe Acrobat preferred] to danita_gallagher@arwd.uscourts.gov. If you have any questions, feel free to call my Courtroom Deputy, Danita Gallagher at (870-773-2005)

2. SETTLEMENT CONFERENCE FORMAT. The Court will generally use a mediation format: an opening joint discussion followed by private caucusing by the Court with each side. The Court expects both the lawyers and the party representatives to be fully prepared to participate. The Court encourages all parties to keep an open mind in order to reassess their previous positions and to find creative means for resolving the dispute. The undersigned will not serve as the trial judge in this case.

3. INVOLVEMENT OF CLIENTS

For many clients, this will be the first time they have participated in a court supervised settlement conference. Therefore, counsel shall provide a copy of this Scheduling Order to the client and shall discuss the points contained herein with the client prior to the settlement conference.

IT IS SO ORDERED April 19, 2017.

/s/ Barry A. Bryant
HON. BARRY A. BRYANT
U.S. MAGISTRATE JUDGE