

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

CIVIL MINUTES--GENERAL

Case No. **CV 19-1173-GW (JPRx)**

Date: **October 4, 2019**

Title: **Steve Siebold v. Wendy Keller et al.**

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**DOCKET ENTRY: Order Taking Settlement Conference off Calendar and
Ordering Parties to Show Cause**

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PRESENT:

HON. JEAN P. ROSENBLUTH, MAGISTRATE JUDGE

Bea Martinez
Deputy Clerk

n/a
Court Reporter

ATTORNEYS PRESENT FOR PLAINTIFF:

None present

ATTORNEYS PRESENT FOR DEFENDANTS:

None present

PROCEEDINGS: (IN CHAMBERS)

On July 8, 2019, the District Judge ordered the parties to hold a settlement conference with the Magistrate Judge no later than October 18. The parties did not contact the Magistrate Judge to schedule the conference until more than two months later, at which time she had few available dates remaining. She scheduled the conference for October 11 and issued a settlement-conference order, requiring the parties to follow certain steps in preparation for the conference. The order specifically required, in paragraph 3, the “physical presence” of every party or, if a party is “a corporate or governmental entity, of an authorized and knowledgeable representative of the [attorney’s] client.” It also, in paragraph 11, required the parties to submit settlement-conference statements to the Magistrate Judge seven days in advance of the conference. On September 24, 2019, the Magistrate Judge rescheduled the conference for October 10 at the parties’ request, notifying them that settlement-conference statements were now due October 3.

The deadline for those statements has passed, and although Plaintiff complied and submitted the required statements, Defendants did not, nor have they sought an extension of time to do so. Moreover, in Plaintiff’s statement, he indicates that “his wife and business manager” will attend the settlement conference in his place, allegedly “[p]ursuant to Section 3” of the settlement-conference order. (Pl.’s Settlement Conf.

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Statement at 6.) But as indicated, that section requires the personal presence of individual clients and allows representatives with full settlement authority only for entity parties. Plaintiff's representation that he is complying with paragraph 3 of the Court's order is disingenuous in that his counsel previously requested, under paragraph 7 of the settlement-conference order, that Plaintiff be allowed to appear by phone and the Court denied the request. Plaintiff, who alleges in the Complaint that he regularly travels "nationally and internationally" (*see, e.g.*, Compl. ¶ 20), chose to file this lawsuit in the Central District of California and must meet his obligations to prosecute it here, even when it is inconvenient for him.

Accordingly, the Court VACATES the October 10 settlement conference and ORDERS as follows:

1) No later than seven days from the date of this order, each party must show cause in writing why he or she should not be sanctioned \$250 for failing to comply with the Court's settlement-conference order.

2) No later than seven days from the date of this order, the parties must seek from the District Judge an extension of the time for holding a settlement conference, attaching to the filing a copy of this minute order. The Magistrate Judge does not have any available time for a settlement conference from October 12 to 18.