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**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

DENIS K. ROTROFF,
Plaintiff,

CASE NO. 1:06-cv-01419 LJO DLB PC

vs.

ORDER SETTING SETTLEMENT
CONFERENCE

JIM ROBINSON, et al.,
Defendants.

Settlement Conference: October 6, 2009
at 10:00 a.m. Before Judge Beck in Courtroom 9

_____ /

This matter is currently set for trial confirmation hearing on November 9, 2009 and trial on December 7, 2009 before United States District Judge Lawrence J. O’Neill. On August 4, 2009, the Court issued an order requiring the parties to notify the Court, in writing, if a settlement conference would be beneficial in resolving this action. All parties have filed responses indicating a willingness to pursue settlement. Accordingly, a settlement conference is set for **October 6, 2009 at 10:00 a.m.** before United States Magistrate Judge Dennis L. Beck in Courtroom 9 of this Court.¹ Unless otherwise permitted in advance by the Court, the attorneys who will try the case shall appear at the mandatory settlement conference with the parties and the person or persons having full authority to negotiate and settle the case, on any terms, at the conference.

¹ By order issued separately, the transportation of Plaintiff for the settlement conference will be arranged.

1 At least five court days prior to the settlement conference, the parties shall submit directly to the
2 settlement conference judge's chambers a confidential settlement conference statement.² This statement
3 should neither be filed with the clerk of the Court nor served on any other party. Each statement shall
4 be clearly marked "CONFIDENTIAL" with the date and time of the mandatory settlement conference
5 indicated prominently. Counsel are urged to request the return of their statements. If such request is not
6 made, the Court will dispose of the statement.

7 The Confidential Settlement Conference Statement shall include the following:

- 8 A. A brief statement of the facts of the case;
9 B. The relief sought; and
10 C. The party's position on settlement, including realistic settlement expectations, present
11 demands and offers, and a history of past settlement discussions, offers, and demands.

12 The Court will vacate the settlement conference if the Court finds the settlement conference will
13 be neither productive nor meaningful to attempt to resolve all or part of this case. As far in advance of
14 the settlement conference as possible, a party shall inform the Court and other parties that it believes the
15 case is not in a settlement posture so the Court may vacate or reset the settlement conference. Otherwise
16 the parties shall proceed with the settlement conference in good faith to attempt to resolve all or part of
17 the case.

18
19 IT IS SO ORDERED.

20 **Dated: September 4, 2009**

/s/ Dennis L. Beck
UNITED STATES MAGISTRATE JUDGE

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²Chambers of Magistrate Judge Dennis L. Beck, United States District Court, 2500 Tulare Street, Fresno, California,
93721.