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

ZANE HARDIN,

Plaintiff,

vs.

WAL-MART STORES, INC.

Defendant.

CASE NO. 08-CV-0617 AWI-BAM

**SETTLEMENT CONFERENCE
REQUIREMENTS**

Pursuant to an agreement by the parties, a Settlement Conference will be held on **Wednesday, February 29, 2012, at 9:30 a.m.** in Courtroom 8 before Magistrate Judge Barbara McAuliffe.

Unless otherwise permitted in advance by the Court, the attorneys who will try the case shall appear at the 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.

On or before **Monday, February 27, 2012, at 9:00am**, each party shall submit directly to Judge McAuliffe's chambers at bamorders@caed.uscourts.gov, a confidential settlement conference statement. This statement should neither be filed with the clerk of the Court nor served on any other party. Each statement shall be clearly marked "CONFIDENTIAL" with the date and time of the mandatory settlement conference indicated prominently. Counsel are urged to request the return of their statements. If such request is not made, the Court will dispose of the statement.

The confidential settlement conference statement shall include the following:

- A. A brief statement of the facts of the case;
- B. A brief statement of the claims and defenses (i.e., statutory or other grounds upon which the claims or defenses are based), a forthright evaluation of the parties' likelihood of

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prevailing on the claims and defenses, and a description of the major issues in dispute;

- C. A summary of the proceedings to date;
- D. An estimate of the cost and time to be expended for further pretrial and trial matters, including discovery;
- E. The relief sought; and
- F. The party's position on settlement, **including the amount which the party will accept to settle, realistic settlement expectations**, present demands and offers, and a history of past settlement discussions, offers, and demands.

This Court will vacate the settlement conference if the Court finds the settlement conference will be neither productive nor meaningful to attempt to resolve all or part of this case.

IT IS SO ORDERED.

Dated: February 24, 2012

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE