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6 IN THE UNITED STATES DISTRICT COURT  
7 FOR THE EASTERN DISTRICT OF CALIFORNIA  
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9 TIMOTHY S. DAUBERT, ) 1:09-cv-01270-AWI-GSA  
10 ) 1:09-cv-01338-GSA  
11 Plaintiff, ) 1:09-cv-01463-GSA  
12 ) 1:10-cv-00015-GSA  
13 vs. ) 1:10-cv-00016-GSA  
14 [CITY OF] LINDSAY [USD], )  
15 Defendant. )  
16 )

**ORDER REQUIRING CONFIDENTIAL  
SETTLEMENT CONFERENCE  
STATEMENTS BY AUGUST 4, 2010**

Settlement Conference Date:  
8/10/10, 10:00am, Ctrm. 7/**SMS**

16 In light of the Minute Order(s) setting a Settlement  
17 Conference for August 10, 2010 at 10:00 a.m. in Courtroom No. 7 on  
18 the Sixth Floor before the Honorable Sandra M. Snyder, United  
19 States Magistrate Judge, it is hereby ORDERED that:

20 Unless otherwise permitted in advance by Judge Snyder, the  
21 attorney(s) who will try the case shall personally appear at the  
22 Settlement Conference with the parties and the person or persons  
23 having full authority to negotiate and settle the case on any  
24 terms<sup>1</sup> at the conference.

25  
26 <sup>1</sup> Insurance carriers, business organizations, and governmental bodies  
27 or agencies whose settlement agreements are subject to approval by  
28 legislative bodies, executive committees, boards of directors, or the  
like, shall be represented by a person or persons who occupy high  
executive positions in the party organization, and who will be directly

1       Permission for a party [not attorney] to attend by telephone  
2 may be granted by Judge Snyder upon request, by letter, with a copy  
3 to the other parties, IF the party lives and works outside the  
4 Eastern District of California, AND attendance in person would  
5 constitute a hardship. If telephone attendance is allowed, the  
6 party must be immediately available throughout the conference,  
7 until excused, regardless of time zone differences. Any other  
8 special arrangements desired in cases where settlement authority  
9 rests with a governing body shall also be proposed, in advance, by  
10 letter, and copied to all other parties.

11               CONFIDENTIAL SETTLEMENT CONFERENCE STATEMENT

12       NOTICE IS HEREBY GIVEN that a Confidential Settlement  
13 Conference Statement is MANDATORY, and must be submitted to Judge  
14 Snyder's chambers by August 4, 2010. Plaintiff should mail his  
15 Statement to Judge Snyder's chambers as follows:

16                       Honorable Sandra M. Snyder  
17                       United States Magistrate Judge  
18                       ROBERT E. COYLE U.S. COURTHOUSE  
19                       2500 Tulare Street, Suite 1501  
20                       Fresno, CA 93721

21                       CONFIDENTIAL SETTLEMENT CONFERENCE  
22                       STATEMENT ENCLOSED

23 Defendant should e-mail their Statement to [SMSOrders@caed.uscourts.gov](mailto:SMSOrders@caed.uscourts.gov).  
24 Failure to so comply may result in the imposition of monetary  
25 and/or other sanctions.

26       The Statement should not be filed with the Clerk's Office nor  
27 served on any other party, although the parties may file a Notice

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involved in the process of approval of any settlement offers or  
agreements. To the extent possible, the representative shall have the  
authority, if he or she deems it appropriate, to settle the action on  
terms consistent with the opposing party's most recent demand.

1 of Lodging Confidential Settlement Conference Statement. Each  
2 Statement shall be clearly marked "Confidential" with the date and  
3 time of the Settlement Conference indicated prominently thereon.  
4 The parties are urged to request the return of their Statements if  
5 settlement is not achieved and, if such a request is not made, the  
6 Court will dispose of the Statement.

7 The Confidential Settlement Conference Statement shall include  
8 the following:

9 **A.** A brief statement of the facts of the case.

10 **B.** A brief statement of the claims and defenses, i.e.,  
11 statutory or other grounds upon which the claims are founded; a  
12 forthright evaluation of the parties' likelihood of prevailing on  
13 the claims and defenses; and, a description of the major issues in  
14 dispute.

15 **C.** A summary of the proceedings to date.

16 **D.** An estimate of the cost and time to be expended for  
17 further discovery, pretrial, and trial.

18 **E.** The relief sought.

19 **F.** The party's position on settlement, including present  
20 demands and offers, and a history of past settlement discussions,  
21 offers, and demands.

22 **FAILURE TO COMPLY WITH THIS ORDER MAY RESULT IN THE IMPOSITION**  
23 **OF SANCTIONS.**

24 IT IS SO ORDERED.

25 **Dated: July 19, 2010**

**/s/ Sandra M. Snyder**  
**UNITED STATES MAGISTRATE JUDGE**