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

CANDY Q. MOORE,)
)
Plaintiff,)
)
vs.)
)
CALIFORNIA DEPARTMENT OF)
CORRECTIONS AND REHABILITATION,)
et al.,)
)
Defendants.)
_____)

1:10-cv-01165-LJO-SMS

**ORDER SETTING EARLY SETTLEMENT
CONFERENCE PURSUANT TO THE
REQUEST OF THE PARTIES AT THE
SCHEDULING CONFERENCE**

Settlement Conference Date:
9/21/11, 10:00am, Ctrm. 9/DLB

1. Date of Scheduling Conference:

August 3, 2011.

2. Appearances of Counsel:

Pro se plaintiff Candy Q. Moore appeared on her own behalf in propria persona.

Deputy Attorney General Susan R. Denious appeared on behalf of defendant, California Department of Corrections and Rehabilitation ("CDCR").

1 3. Settlement Conference:¹

2 September 21, 2011 at 10:00 a.m. in Courtroom No. 9 on
3 the Sixth Floor before the Honorable Dennis L. Beck, United States
4 Magistrate Judge.

5 Unless otherwise permitted in advance by Judge Beck, **the**
6 **attorneys and/or parties who will try the case shall personally**
7 **appear** at the Settlement Conference **with the parties** and the person
8 or persons having **full authority** to negotiate and settle the case
9 **on any terms**² at the conference.

10 Permission for a party [*not attorney*] to attend by
11 telephone may be granted by Judge Beck upon request, by letter,
12 with a copy to the other parties, IF the party lives and works
13 outside the Eastern District of California, AND attendance in
14 person would constitute a hardship. If telephone attendance is
15 allowed, **the party must be immediately available throughout the**
16 **conference, until excused, regardless of time zone differences.**

17 Any other special arrangements desired in cases where settlement
18 authority rests with a governing body shall also be proposed, in
19 advance, by letter, and copied to all other parties.

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24 ¹ The settlement conference date proposed to the parties at the scheduling conference was 9/20/11;
25 however, Judge Beck already has a settlement conference set that morning; hence, the slightly different date
26 of 9/21/11.

27 ² Insurance carriers, business organizations, and governmental bodies or agencies whose settlement
28 agreements are subject to approval by 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 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 CONFIDENTIAL SETTLEMENT CONFERENCE STATEMENT

2 NOTICE IS HEREBY GIVEN that a Confidential Settlement
3 Conference Statement is **MANDATORY**, and must be submitted to Judge
4 Beck's chambers, **at least five (5) court days prior to the**
5 **Settlement Conference, or by 9/14/11**, by e-mail to
6 DLBOrders@caed.uscourts.gov. However, pro se plaintiff Candy Q.
7 Moore is to mail her Confidential Settlement Conference Statement
8 directly to Judge Beck as follows:

9 Hon. Dennis L. Beck
10 United States Magistrate Judge
11 UNITED STATES DISTRICT COURT
12 2500 Tulare Street, Suite 1501
13 Fresno, CA 93721

14 The Statement should **not be filed** with the Clerk's Office
15 nor **served on any other party**, although represented parties may
16 e-file a Notice of Lodging Confidential Settlement Conference
17 Statement. Each Statement shall be clearly marked "Confidential"
18 with the date and time of the Settlement Conference indicated
19 prominently thereon. The parties are urged to request the return
20 of their Statements if settlement is not achieved and, if such a
21 request is not made, the Court will dispose of the Statement.

22 Confidential Settlement Conference Statements (are
23 typically typed and double spaced and) shall include the following:

- 24 A. A brief statement of the facts of the case.
25 B. A brief statement of the claims and defenses, i.e.,
26 statutory or other grounds upon which the claims are founded; a
27 forthright evaluation of the parties' likelihood of prevailing on
28 the claims and defenses; and, a description of the major issues in
dispute.
C. A summary of the proceedings to date.

1 D. An estimate of the cost and time to be expended for
2 further discovery, pretrial, and trial.

3 E. The relief sought.

4 F. The party's position on settlement, including
5 present demands and offers, and a history of past settlement
6 discussions, offers, and demands.

7 **FAILURE TO COMPLY WITH THIS ORDER MAY RESULT IN THE**
8 **IMPOSITION OF SANCTIONS.**

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10 IT IS SO ORDERED.

11 **Dated:** August 3, 2011

 /s/ Sandra M. Snyder
UNITED STATES MAGISTRATE JUDGE

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