

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JESUS SOSA) 1: 10 CV 01580 DLB
)
) ORDER SETTING SETTLEMENT
) CONFERENCE
)
) Settlement Conference:
) March 2, 2011 at 10:00 a.m.
) Courtroom 10
)
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)
Plaintiff,
v.
RAMIREZ VELAZQUEZ, INC., et al.,
Defendants.

I. Date of Scheduling Conference

December 2, 2010.

II. Appearances of Counsel

Tanya Levinson Moore appeared on behalf of Plaintiff

Jamerson C. Allen appeared on behalf of defendant Ramirez Velazquez, Inc.

John Duffy appeared on behalf of defendant Bill W. Chu, Inc.

III. Consent to the Magistrate Judge

Pursuant to 28 U.S.C. §636(c) the parties have all consented to conduct of any and all further proceedings in this case, including trial, before the Honorable Dennis L. Beck, U.S. Magistrate Judge. If one is not already on file, they shall file a written stipulation and consent

1 within 15 days of this order.

2 **IV. Settlement Conference**

3 A Settlement Conference is scheduled for March 2, 2011 at 10:00 a.m. in
4 Courtroom 10 before the Honorable Gary S. Austin, U.S. Magistrate Judge.

5 Unless otherwise permitted in advance by the Court, **the attorneys who will try**
6 **the case** shall appear at the Settlement Conference **with the parties** and the person or persons
7 having **full authority** to negotiate and settle the case **on any terms**¹ at the conference.

8 **CONFIDENTIAL SETTLEMENT CONFERENCE STATEMENT**

9 At least five (5) court days prior to the Settlement Conference the parties shall
10 submit, directly to the Magistrate Judges chambers by email to ____ Orders@caed.uscourts.gov, a
11 Confidential Settlement Conference Statement. The statement **should not be filed** with the
12 Clerk of the Court **nor served on any other party**, although the parties may file a Notice of
13 Lodging of Settlement Conference Statement. Each statement shall be clearly marked
14 "confidential" with the date and time of the Settlement Conference indicated prominently
15 thereon. Counsel are urged to request the return of their statements if settlement is not achieved
16 and if such a request is not made the Court will dispose of the statement.

17 The Confidential Settlement Conference Statement shall include the following:

18 A. A brief statement of the facts of the case.

19 B. A brief statement of the claims and defenses, i.e., statutory or other
20 grounds upon which the claims are founded; a forthright evaluation of the parties' likelihood of
21 prevailing on the claims and defenses; and a description of the major issues in dispute.

22
23 ¹ Insurance carriers, business organizations, and governmental bodies or agencies whose
24 settlement agreements are subject to approval by legislative bodies, executive committees, boards
25 of directors or the like shall be represented by a person or persons who occupy high executive
26 positions in the party organization and who will be directly involved in the process of approval of
27 any settlement offers or agreements. To the extent possible the representative shall have the
opposing party's most recent demand.

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

IT IS SO ORDERED.

Dated: December 2, 2010 _____ /s/ **Dennis L. Beck**
UNITED STATES MAGISTRATE JUDGE