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2 the conference. Consideration of settlement is a serious matter that requires preparation prior to
3 the settlement conference. Set forth below are the procedures the Court will employ, absent good
4 cause, in conducting the conference.

5 3. **No later than April 1, 2016**, Plaintiff **SHALL** submit to Defendant, a written
6 itemization of damages and a meaningful⁴ settlement demand which includes a brief explanation
7 why such a settlement is appropriate. Thereafter, **no later than April 22, 2016**, Defendant
8 **SHALL** respond with an acceptance of the offer or with a meaningful counteroffer, which
9 includes a brief explanation of why such a settlement is appropriate.

10 If settlement is not achieved, each party **SHALL** attach copies of their settlement offers to
11 their Confidential Settlement Conference Statement, as described below. Copies of these
12 documents shall not be filed on the court docket.

13 4. **No later than May 6, 2016**, the parties shall submit, directly to Judge Grosjean's
14 chambers, a confidential settlement conference statement.⁵ The statement **should not be filed**
15 with the Clerk of the Court **nor served on any other party**, though the parties may file a Notice
16 of Lodging of Settlement Conference Statement. Each statement shall be clearly marked
17 "confidential" with the date and time of the Settlement Conference indicated prominently thereon.
18 The Confidential Settlement Conference Statement shall include the following:

- 19 A. A brief statement of the facts of the case.
20 B. A brief statement of the claims and defenses, i.e., statutory or other grounds upon
21 which the claims are founded; a forthright evaluation of the parties' likelihood of
22 prevailing on the claims and defenses; and a description of the major issues in
23 dispute.
24

25 are subject to approval by legislative bodies, executive committees, boards of directors or the like shall be
26 represented by a person or persons who occupy high executive positions in the party organization and who will be
27 directly involved in the process of approval of any settlement offers or agreements. To the extent possible the
28 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.

⁴ "Meaningful" means that the offer is reasonably calculated to settle the case on terms acceptable to the offering party. "Meaningful" does not include an offer which the offering party knows will not be acceptable to the other party

⁵ Counsel may lodge the statement via e-mail to by e-mail to EPGorders@caed.uscourts.gov but Plaintiff must mail it.

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- 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: March 17, 2016

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE