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**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF CALIFORNIA

BRANDON LEE WOLCOTT,  
Plaintiff,  
v.  
REYNOSO,  
Defendant.

**1:14-cv-00936-DAD-JLT (PC)**  
**ORDER SETTING SETTLEMENT**  
**CONFERENCE**  
**March 7, 2019 at 9:30 a.m.**

Defendant responded to this Court’s order referring the case to the post-screening ADR project indicating that a settlement conference would be beneficial in this case. The Court concurs; therefore, this case will be set for a settlement conference before the undersigned at the U. S. District Court, 510 19<sup>th</sup> Street, Bakersfield, California 93301 in Courtroom #6 on March 7, 2019, at 9:30 a.m. Thus, the Court **ORDERS**:

1. A further settlement conference is set for March 7, 2019, at 9:30 a.m., before Magistrate Judge Jennifer L. Thurston at the U. S. District Court, 510 19<sup>th</sup> Street, Bakersfield, California 93301.
2. Defendants’ lead counsel and a person with authority to negotiate and enter into a binding settlement on defendants’ behalf shall attend in person.<sup>1</sup>

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<sup>1</sup> While the exercise of its authority is subject to abuse of discretion review, “the district court has the authority to order parties, including the federal government, to participate in mandatory settlement conferences.” United States v. United States District Court for the Northern Mariana Islands, 694 F.3d 1051, 1053, 1057, 1059 (9<sup>th</sup> Cir. 2012) (“the

- 1           3. Those in attendance must be prepared to discuss the claims, defenses and damages.  
2           The failure of any counsel, party or authorized person subject to this order to appear in  
3           person may result in the imposition of sanctions. In addition, the conference will not  
4           proceed and will be reset to another date.
- 5           4. Defendants are directed to submit confidential settlement statements no later than  
6           February 25, 2019 to [jltorders@caed.uscourts.gov](mailto:jltorders@caed.uscourts.gov). Plaintiff shall send a confidential  
7           settlement statement to the court at the above address so it arrives no later than  
8           February 25, 2019. The envelope shall be marked “Confidential Settlement  
9           Statement.” If a party desires to share additional confidential information with the  
10          Court, they may do so pursuant to the provisions of Local Rule 270(d) and (e). Parties  
11          are also directed to file a “Notice of Submission of Confidential Settlement  
12          Statement.” (*See* L.R. 270(d).)

13           Settlement statements **should not be filed** with the Clerk of the Court **nor served on any**  
14 **other party**. Settlement statements shall be clearly marked “confidential” with the date and time  
15 of the settlement conference indicated prominently thereon. The confidential settlement  
16 statement shall be **no longer than five pages** in length, typed or neatly printed, and include the  
17 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 grounds upon  
20           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  
22           dispute.  
23           c. A summary of the proceedings to date.  
24           d. An estimate of the cost and time to be expended for further discovery, pretrial, and  
25           trial.  
26           e. The relief sought.  
27           f. The party’s position on settlement, including present demands and offers and a

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28           district court has broad authority to compel participation in mandatory settlement conference[s].”).

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history of past settlement discussions, offers, and demands.

g. A brief statement of each party's expectations and goals for the settlement conference.

IT IS SO ORDERED.

Dated: January 3, 2019

/s/ Jennifer L. Thurston  
UNITED STATES MAGISTRATE JUDGE