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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DAVID ROMERO,
Plaintiff,
v.
JAMES YATES, et al.,
Defendants.

Case No. 1:14-cv-01062-SKO

ORDER REQUIRING PLAINTIFF TO FILE
SETTLEMENT CONFERENCE STATEMENT

DEADLINE: AUGUST 17, 2017 by 4:30 pm

This action has been referred to the undersigned for a settlement conference and a settlement conference is currently set for August 21, 2017 at 8:30 a.m. in Courtroom 9 before the undersigned. Unless otherwise permitted in advance by the Court, **the attorneys who will try the case** shall appear at the Settlement Conference **with the parties** and the person or persons having **full authority** to negotiate and settle the case **on any terms** at the conference.

As of this date, Plaintiff has not submitted a confidential settlement statement. Plaintiff shall submit a Confidential Settlement Conference Statement directly to Judge Boone's chambers by e-mail to SABOrders@caed.uscourts.gov by **4:30 pm on August 17, 2017**. The statement **should not be filed** with the Clerk of the Court **nor served on any other party**, although Plaintiff may file a Notice of Lodging of Settlement Conference Statement. Plaintiff's statement shall be clearly marked "confidential" with the date and time of the Settlement Conference indicated prominently thereon.

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The Confidential Settlement Conference Statement shall include the following:

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

The Court will vacate the settlement conference if Plaintiff fails to file a confidential settlement statement in compliance with this order or finds the settlement conference will be neither productive nor meaningful to attempt to resolve all or part of this case. The court will note this is the second time the Court has had to advise the Plaintiff of this apparent fact. Plaintiff is advised that a Court cannot conduct a conference without a settlement conference statement.

IT IS SO ORDERED.

Dated: August 16, 2017


UNITED STATES MAGISTRATE JUDGE