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

MARK SCHMIDT,

Plaintiff,

v.

VILLANUEBA, et al.,

Defendants.

Case No.: 1:14-cv-01092-DAD-SAB (PC)

**ORDER SETTING SETTLEMENT
CONFERENCE**

Plaintiff Mark Schmidt is appearing through counsel in this civil rights action pursuant to 42 U.S.C. § 1983. The court has determined that this case will benefit from a settlement conference. Therefore, this case will be referred to Magistrate Judge Erica P. Grosjean to conduct a settlement conference at the U.S. District Court, 2500 Tulare Street, Fresno, California 93721 in Courtroom #10 on June 13, 2017 at 1:00 p.m.

A separate order and writ of habeas corpus ad testificandum will issue concurrently with this order.

In accordance with the above, **IT IS HEREBY ORDERED** that:

1. This case is set for a settlement conference before Magistrate Judge Erica P. Grosjean on June 13, 2017, at 1:00 p.m. at the U. S. District Court, 2500 Tulare Street, Fresno, California 93721 in Courtroom #10.

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2. A representative with full and unlimited authority to negotiate and enter into a binding settlement shall attend in person.
3. Those in attendance must be prepared to discuss the claims, defenses and damages. The failure of any counsel, party or authorized person subject to this order to appear in person may result in the imposition of sanctions. In addition, the conference will not proceed and will be reset to another date.
4. Each party shall provide a confidential settlement statement to the following email address: epgorders@caed.uscourts.gov. Settlement statements shall arrive no later than June 6, 2017. Parties shall also file a Notice of Submission of Confidential Settlement Conference Statement (See Local Rule 270(d)). Settlement statements **should not be filed** with the Clerk of the Court **nor served on any other party**. Settlement statements shall be clearly marked “confidential” with the date and time of the settlement conference indicated prominently thereon. The confidential settlement statement shall be **no longer than five pages** in length, typed or neatly printed, and 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.

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

IT IS SO ORDERED.

Dated: May 16, 2017


UNITED STATES MAGISTRATE JUDGE