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

RONALD MOORE,  
Plaintiff,  
v.  
CHASE, INC., et al.,  
Defendants.

Case No. 1:14-cv-01178-SKO  
ORDER VACATING SETTLEMENT  
CONFERENCE

A settlement conference in this action is set for August 24, 2015, at 10:00 a.m. before the undersigned. (ECF No. 22.) Pursuant to the order setting the settlement conference, counsel and the parties are required to personally appear at the settlement conference. (Id. at 6.) On August 13, 2015, the confidential settlement statement from Defendant was received informing the Court that neither counsel nor Defendant will appear in person but will be available by telephone for the settlement conference. Counsel is advised that the scheduling order issued in this action is not a suggestion, but an order. If counsel and Defendant are unable to personally attend the settlement conference their remedy is to seek relief from the order, not inform the Court that they are not going to comply with the order.

Further, when a settlement conference is set before this Court, that date is reserved for the parties and the Court is not available to hear other matters. In the future, the parties are advised that if a conflict occurs or the parties determine that settlement discussions will not be fruitful,

1 they are to advise the Court as soon as possible so the hearing can be vacated and the time be  
2 made available for the Court to hear other matters.

3 Since Defendant and his counsel are unable to personally appear for the settlement  
4 conference, the August 24, 2015 settlement conference shall be vacated and because it appears  
5 that settlement would not be fruitful at all. Should the parties determine that a settlement  
6 conference would be fruitful in this action, they shall confer to determine when all parties and  
7 counsel are available to personally appear and contact the courtroom deputy with available dates.  
8 However, prior to setting a further settlement conference before this Courtroom, this Court will  
9 require that each side to submit their confidential settlement conference statement before the  
10 Court actually reserves another conference date and time block. If based upon those statements  
11 this Court determines that settlement would be fruitful then the Court will set a settlement  
12 conference where all parties and counsel shall appear in person.

13 Accordingly, IT IS HEREBY ORDERED that the settlement conference set for August  
14 24, 2015, is VACATED.

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16 IT IS SO ORDERED.

17 Dated: August 19, 2015

  
UNITED STATES MAGISTRATE JUDGE

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