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6 **UNITED STATES DISTRICT COURT**

7 EASTERN DISTRICT OF CALIFORNIA

9 DOMINIC ESQUIBEL,

10 Plaintiff,

11 v.

12 NATIONAL PARKS SERVICE, et al.,

13 Defendants.

Case No. 1:14-cv-01702-SKO

ORDER CONTINUING SETTLEMENT
CONFERENCE TO DECEMBER 5, 2017

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15 A settlement conference in this action is set for September 14, 2017, at 10:00 a.m. before
16 the undersigned. (ECF No. 34.) After reviewing the parties' confidential settlement statements,
17 the Court has determined that a settlement conference would not be fruitful at this time. Based
18 on the position of the parties, the Court shall continue the settlement conference to allow for the
19 completion of discovery at which time the parties should be in a better position to consider
20 settlement.

21 Accordingly, the settlement conference set for September 14, 2017 at 10:00 a.m. is
22 continued to **December 5, 2017, at 11:00 a.m.** in Courtroom 9 before the undersigned. Unless
23 otherwise permitted in advance by the Court, **the attorneys who will try the case** shall appear at
24 the Settlement Conference **with the parties** and the person or persons having **full authority** to
25 negotiate and settle the case **on any terms** at the conference.

26 ***Supplemental Confidential Settlement Conference Statement:*** At least seven (7) court
27 days prior to the Settlement Conference, the parties shall submit a Supplemental Confidential
28 Settlement Conference Statement directly to Judge Boone's chambers by e-mail to

1 SABOrders@caed.uscourts.gov. The statement **should not be filed** with the Clerk of the Court
2 **nor served on any other party**, although the parties may file a Notice of Lodging of Settlement
3 Conference Statement. Each statement shall be clearly marked “confidential” with the date and
4 time of the Settlement Conference indicated prominently thereon.

5 The Supplemental Confidential Settlement Conference Statement shall include the
6 following:

- 7 A. A supplemental statement of the facts of the case to address new
8 information discovered.
- 9 B. The party’s position on settlement, including present demands and offers
10 and a history of past settlement discussions, offers and demands. The
11 Court shall require the party to state the amount that they would be willing
12 to accept or provide to settle this action.

13 The Court will vacate the settlement conference if the Court finds the settlement
14 conference will be neither productive nor meaningful to attempt to resolve all or part of this case.
15 As far in advance of the settlement conference as possible, a party shall inform the Court and
16 other parties that it believes the case is not in a settlement posture so the Court may vacate or
17 reset the settlement conference. Otherwise the parties shall proceed with the settlement
18 conference in good faith to attempt to resolve all or part of the case.

19 IT IS SO ORDERED.

20 Dated: **September 13, 2017**

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22 UNITED STATES MAGISTRATE JUDGE