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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

EDWARD JOHNSON,

Plaintiff,

v.

GERALD JOHNSON,

Defendant.

Case No. 1:15-cv-01793-MJS

ORDER REQUIRING PLAINTIFF TO
SUBMIT CONFIDENTIAL SETTLEMENT
STATEMENT

DEADLINE: MARCH 15, 2018 by noon

The parties stipulated to participate in a settlement conference on March 16, 2018. (ECF No. 86.) Defendant has submitted a confidential settlement statement. However, no confidential settlement statement has been received from Plaintiff.

The court spends considerable time preparing for settlement conference so as to make it meaningful to the parties and results in a greater likelihood of settlement success. Settlement is extremely important in this district where the judges have one of the highest caseloads per judge in the United States. The settlement conference statement assists the court in adequately preparing for these matters. They are not pro forma.

Therefore, the Court shall require Plaintiff to submit a Confidential Settlement Statement by **noon on March 15, 2018**. Plaintiff shall submit a Confidential Settlement Conference Statement directly to Judge Boone's chambers by e-mail to SABOrders@caed.uscourts.gov. Once received a copy of the statement will be forwarded to Judge Seng. The statement **should**

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

5 The Confidential Settlement Conference Statement shall include the following:

- 6 A. A brief statement of the facts of the case.
- 7 B. A brief statement of the claims and defenses, i.e., statutory or other
8 grounds upon which the claims are founded; a forthright evaluation of the
9 parties’ likelihood of prevailing on the claims and defenses; and a
10 description of the major issues in dispute.
- 11 C. A summary of the proceedings to date.
- 12 D. An estimate of the cost and time to be expended for further discovery,
13 pretrial and trial.
- 14 E. The relief sought.
- 15 F. The party’s position on settlement, including present demands and offers
16 and a history of past settlement discussions, offers and demands.

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

23 IT IS SO ORDERED.

24 Dated: March 14, 2018

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26 _____
27 UNITED STATES MAGISTRATE JUDGE
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