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8	UNITED STATES DISTRICT COURT EASTERN DISTRICT OF CALIFORNIA	
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11	ETHAN MORSE,	Case No. 1:16-cv-00142-DAD-SKO
12	Plaintiff,	ORDER DENYING STIPULATION TO CONTINUE SETTLEMENT CONFERENCE
13	V.	(ECF No. 81)
14	COUNTY OF MERCED, et al.,	
15	Defendant.	
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A settlement conference in this action is set before the undersigned for May 16, 2017.
Pursuant to the scheduling order, the parties submitted their confidential settlement statements
one week prior to the conference. On May 15, 2017, the parties filed a stipulation to continue
the settlement conference.

The stipulation to continue the settlement conference was filed at the last minute, after the Court has spent considerable time preparing for the settlement conference in order to make it meaningful to the parties and to ensure 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. 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.

When the case is not ripe for settlement conference, the prudent course of action would have been to determine earlier that settlement was not viable at this stage and to request a

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continuance. Here, the parties waited until the day before the conference is scheduled;
continuing the settlement conference at this juncture results in wasting the court's precious time,
and denying other litigants that time slot to have their matters settled. While there is a summary
judgment motion outstanding, such a fact is never an impediment to settling matters if the parties
come in good faith with an objective eye. Every litigant believes they have a righteous position
until they go to trial and a verdict usually proves one of them wrong and sometimes both.

For these reasons, the Court shall deny the parties stipulation to continue the settlement
conference in this action. The parties shall be required to appear on May 16, 2017, at 10:30 a.m.
and be prepared to conduct settlement negotiations in good faith.

IT IS SO ORDERED.

Dated: May 15, 2017

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UNITED STATES MAGISTRATE JUDGE