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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

SECURITIES AND EXCHANGE  
COMMISSION,

CASE NO. 1:16-cv-00344-LJO-JLT

Plaintiff,

v.

ORDER REGARDING SETTLEMENT  
CONFERENCE

BIC REAL ESTATE DEVELOPMENT  
CORPORATION and DANIEL R. NASE,  
individually and d/b/a BAKERSFIELD  
INVESTMENT CLUB,

PERSONAL APPEARANCE BY PLAINTIFF  
AND DEFENSE COUNSEL REQUIRED

Defendants,

BIC SOLO 401K TRUST and  
MARGARITA NASE,

Relief Defendants.

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This case is set for a Settlement Conference before Magistrate Judge Barbara A. McAuliffe on **January 31, 2019 at 10:00 am** in Courtroom 8 at the U.S. District Court, 2500 Tulare Street, Fresno, California, 93721. Unless otherwise permitted in advance by the Court, the attorneys who will try the case shall personally appear at the settlement conference with the parties and the person or persons having full authority to negotiate and settle the case, on any terms, at the conference.

No later than seven days prior to the settlement conference, each party shall submit directly to Judge McAuliffe's chambers at [bamorders@caed.uscourts.gov](mailto:bamorders@caed.uscourts.gov), a confidential settlement conference

1 statement. This statement should neither be filed with the clerk of the Court nor served on any other  
2 party. Each statement shall be clearly marked "CONFIDENTIAL" with the date and time of the  
3 mandatory settlement conference indicated prominently.

4 The settlement statement should not be lengthy but shall include a brief recitation of the facts, a  
5 discussion of the strengths and weaknesses of the case, an estimate of the cost and time to be expended  
6 for further pretrial and trial matters, and the relief sought. The parties are also directed to include a  
7 candid statement on the party's position on settlement, **including the amount which the party will**  
8 **accept to settle, realistic settlement expectations**, present settlement proposals, and a history of past  
9 settlement discussions, offers, demands, and a report on settlement efforts to date.

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

16  
17 IT IS SO ORDERED.

18 Dated: December 27, 2018

/s/ Barbara A. McAuliffe  
19 UNITED STATES MAGISTRATE JUDGE