



1 A representative with unlimited authority shall either attend in person or be available by phone  
2 throughout the conference. In other words, having settlement authority “up to a certain amount”  
3 is not acceptable.

4 **IF ANY PARTY BELIEVES THAT A SETTLEMENT CONFERENCE WOULD**  
5 **BE FUTILE, THEN THAT PARTY SHALL CONTACT THE COURT NOT LATER**  
6 **THAN SEVENTY-TWO HOURS PRECEDING THE SCHEDULED SETTLEMENT**  
7 **CONFERENCE.**

8 *Confidential Settlement Statements*

9 At least five (5) court days prior to the settlement conference, each party shall submit a  
10 Confidential Settlement Conference Statement in Word format directly to Judge Grosjean’s  
11 Chambers at [epgorders@caed.uscourts.gov](mailto:epgorders@caed.uscourts.gov). The statement shall not be filed on the docket or  
12 served on any other party. Each statement shall be clearly marked "confidential" with the date  
13 and time of the settlement conference clearly noted on the first page. The Confidential Settlement  
14 Conference Statement shall include the following:

- 15 A. A brief statement of the facts of the case.
- 16 B. A brief statement of the claims and defenses, i.e., statutory or other grounds  
17 upon which the claims are founded; a forthright evaluation of the parties'  
18 likelihood of prevailing on the claims and defenses; and a description of the major  
19 issues in dispute.
- 20 C. A summary of the proceedings to date.
- 21 D. An estimate of the cost and time to be expended for further discovery, pretrial  
22 and trial.
- 23 E. The relief sought.
- 24 F. The party's position on settlement, including present demands and offers and a  
25 history of past settlement discussions, offers and demands.

26 The parties shall contact that the designated settlement conference judge’s chambers to  
27 ascertain whether additional settlement conference procedures are required.

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IT IS SO ORDERED.

Dated: April 13, 2017

/s/ Eric P. Groj  
UNITED STATES MAGISTRATE JUDGE