

1
2
3
4
5
6
7 **UNITED STATES DISTRICT COURT**

8 EASTERN DISTRICT OF CALIFORNIA

9
10 ROADRUNNER INTERMODAL
SERVICES, LLC, et al.,

11 Plaintiffs,

12 v.

13 T.G.S. TRANSPORTATION, INC., et al.,

14 Defendants.

Case No. 1:17-cv-01056-DAD-BAM

ORDER RE SETTLEMENT CONFERENCE

15
16 This action has been referred to the undersigned for a settlement conference and a
17 settlement conference has been set for November 15, 2021, at 9:30 a.m. in Courtroom 9 before
18 the undersigned. Unless otherwise permitted in advance by the Court, **the attorneys who will**
19 **try the case** shall appear at the Settlement Conference **with the parties** and the person or
20 persons having **full authority** to negotiate and settle the case **on any terms** at the conference.
21 Given the current COVID-19 pandemic there will be no personal appearances and the Court
22 finds that the settlement conference in this proceeding shall be held by videoconference. All
23 parties required to appear at the settlement conference shall appear via videoconference. The
24 Courtroom Deputy will contact the parties with the videoconference login information prior to
25 the settlement conference.

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

1 statement **should not be filed** with the Clerk of the Court **nor served on any other party**,
2 although the parties may file a Notice of Lodging of Settlement Conference Statement. Each
3 statement shall be clearly marked “confidential” with the date and time of the Settlement
4 Conference indicated 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 Court will vacate the settlement conference if the Court finds 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: **September 17, 2021**

25 
26 _____
27 UNITED STATES MAGISTRATE JUDGE
28