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6 **UNITED STATES DISTRICT COURT**

7 EASTERN DISTRICT OF CALIFORNIA

9 ROLAND KUEHLING,

10 Plaintiff,

11 v.

12 PORTFOLIO RECOVERY ASSOCIATES,
13 LLC,

14 Defendant.

Case No. 1:17-cv-01225-AWI-BAM

ORDER CONTINUING INITIAL
SCHEDULING CONFERENCE

ORDER SETTING SETTLEMENT
CONFERENCE AND SETTLEMENT
INSTRUCTIONS

Date: January 17, 2018

Time: 11:00 a.m.

Courtroom: Courtroom 9

Judge: Hon. Stanley A. Boone

PERSONAL APPEARANCES REQUIRED

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20 On December 5, 2017, the Court held a telephonic conference. Plaintiff Roland
21 Kuehling, in pro per, appeared telephonically. Defendant Portfolio Recovery Associates, LLC,
22 appeared telephonically through counsel Nathan Searles. Pursuant to the agreement of the
23 parties, the INITIAL SCHEDULING CONFERENCE in this matter is HEREBY CONTINUED
24 to **February 2, 2018 at 10:00 AM in Courtroom 8 (BAM)** before the undersigned. However,
25 if the case settles prior to the scheduling conference, then the conference will be vacated.

26 With the agreement of the parties, this case also is HEREBY SET for a SETTLEMENT
27 CONFERENCE before Magistrate Judge Stanley A. Boone on **January 17, 2018 at 11:00 AM**
28 **in Courtroom 9** at the U.S. District Court, 2500 Tulare Street, Fresno, California, 93721. Unless

1 otherwise permitted in advance by the Court, **the attorneys who will try the case** shall appear at
2 the Settlement Conference **with the parties** and the person or persons having **full authority** to
3 negotiate and settle the case **on any terms** at the conference.

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5 ***Confidential Settlement Conference Statement:*** At least seven (7) court days prior to the
6 Settlement Conference, the parties shall submit a Confidential Settlement Conference Statement
7 directly to Judge Boone’s chambers by e-mail to SABOrders@caed.uscourts.gov. The statement
8 **should not be filed** with the Clerk of the Court **nor served on any other party**, although the
9 parties may file a Notice of Lodging of Settlement Conference Statement. Each statement shall
10 be clearly marked “confidential” with the date and time of the Settlement Conference indicated
11 prominently thereon.

12 The Confidential Settlement Conference Statement shall include the following:

13 A. A brief statement of the facts of the case.

14 B. A brief statement of the claims and defenses, i.e., statutory or other grounds upon
15 which the claims are founded; a forthright evaluation of the parties’ likelihood of prevailing on
16 the claims and defenses; and a description of the major issues in dispute.

17 C. A summary of the proceedings to date.

18 D. An estimate of the cost and time to be expended for further discovery, pretrial and
19 trial.

20 E. The relief sought.

21 F. The party’s position on settlement, including present demands and offers and a history
22 of past settlement discussions, offers and demands.

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24 The Court will vacate the settlement conference if the Court finds the settlement
25 conference will be neither productive nor meaningful to attempt to resolve all or part of this case.
26 As far in advance of the settlement conference as possible, a party shall inform the Court and
27 other parties that it believes the case is not in a settlement posture so the Court may vacate or
28 reset the settlement conference. Otherwise the parties shall proceed with the settlement

1 conference in good faith to attempt to resolve all or part of the case.

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3 IT IS SO ORDERED.

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Dated: December 5, 2017

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE

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