2 3 4 5 6 UNITED STATES DISTRICT COURT 7 8 EASTERN DISTRICT OF CALIFORNIA 9 10 WEST PACIFIC ELECTRIC COMPANY Case No. 1:18-cv-00166-LJO-BAM CORPORATION. 11 ORDER SETTING SETTLEMENT Plaintiff, CONFERENCE AND SETTLEMENT 12 **INSTRUCTIONS** v. 13 Date: September 13, 2019 DRAGADOS/FLATIRON, et al., Time: 9:30 a.m. 14 Courtroom: Courtroom 9 Defendants. Judge: Hon. Stanley A. Boone 15 16 17 Pursuant to the agreement of the parties, a settlement conference SET for September 13, 18 2019, at 9:30 a.m. in Courtroom 9 before Magistrate Judge Stanley A. Boone at the U.S. District 19 Court, 2500 Tulare Street, Fresno, California 93721. Unless otherwise permitted in advance by 20 the Court, the attorneys who will try the case shall appear at the Settlement Conference with 21 the parties and the person or persons having full authority to negotiate and settle the case on 22 any terms at the conference. Confidential Settlement Conference Statement: At least seven (7) court days prior to the 23 24 Settlement Conference, the parties shall submit a Confidential Settlement Conference Statement directly to Judge Boone's chambers by e-mail to SABOrders@caed.uscourts.gov. The statement 25 should not be filed with the Clerk of the Court nor served on any other party, although the 26 27 parties may file a Notice of Lodging of Settlement Conference Statement. Each statement shall 28 be clearly marked "confidential" with the date and time of the Settlement Conference indicated

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1 prominently thereon. 2 The Confidential Settlement Conference Statement shall include the following: 3 A. A brief statement of the facts of the case. B. 4 A brief statement of the claims and defenses, i.e., statutory or other 5 grounds upon which the claims are founded; a forthright evaluation of the 6 parties' likelihood of prevailing on the claims and defenses; and a 7 description of the major issues in dispute. C. 8 A summary of the proceedings to date. 9 D. An estimate of the cost and time to be expended for further discovery, 10 pretrial and trial. 11 E. The relief sought. F. 12 The party's position on settlement, including present demands and offers 13 and a history of past settlement discussions, offers and demands. 14 The Court will vacate the settlement conference if the Court finds the settlement 15 conference will be neither productive nor meaningful to attempt to resolve all or part of this case. 16 As far in advance of the settlement conference as possible, a party shall inform the Court and 17 other parties that it believes the case is not in a settlement posture so the Court may vacate or 18 reset the settlement conference. Otherwise the parties shall proceed with the settlement 19 conference in good faith to attempt to resolve all or part of the case. 20 IT IS SO ORDERED. 21 1s/ Barbara A. McAulif 22 Dated: **August 26, 2019** 23 24 25 26

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