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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

JOSE ACOSTA,

Plaintiff,

v.

ARMANDO SANCHEZ,  
GARY AGAZARIAN, AND  
SUSAN AGAZARIAN

Defendants.

No. 1:18-CV-459 AWI SKO

**ORDER REGARDING SETTLEMENT  
CONFERENCE PROCEDURES**

**ORDER SETTING CONFERENCE AND  
PRE-CONFERENCE CALL**

The Court sets a settlement conference for November 7, 2019, at 1:00 PM before Magistrate Judge Erica P. Grosjean.

The Court also sets a pre-settlement telephone conference for October 17, 2019, at 10:00 AM to ensure that the conference will be productive. The parties are to use the following dial-in number and passcode: **Dial-in number 1-888-251-2909 and Passcode 1024453.**

Unless otherwise permitted in advance by the Court, the attorneys who will try the case shall appear at the Settlement Conference. It is recommended that pertinent evidence to be offered at trial, documents or otherwise, be brought to the settlement conference for presentation to the settlement judge. Neither the settlement conference statements nor communications during the settlement conference with the settlement judge can be used by either party in the trial of this case.

Absent permission from the Court, in addition to counsel who will try the case being present, the individual parties shall also be present. A representative with unlimited authority shall either attend in person or be available by phone throughout the conference. In other words,

1 having settlement authority “up to a certain amount” is not acceptable.

2 ***Exchange of Offers***

3 In advance of the conference, each party must make a written offer of settlement to the  
4 other party with all material terms included.

5 ***Confidential Settlement Statements***

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

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

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

17 C. A summary of the proceedings to date.

18 D. Last offer given by the party and opposing party’s response.

19 E. If the party seeks to recover attorney’s fees and costs, the amount of fees and  
20 costs incurred to date.

21 F. The party’s position on settlement.

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

24  
25 IT IS SO ORDERED.

26 Dated: September 25, 2019

27 /s/ Eric P. Grosjean  
28 UNITED STATES MAGISTRATE JUDGE