

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

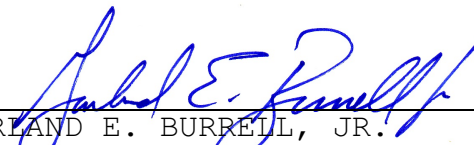
THE NEWARK GROUP,	)	
	)	2:08-cv-02623-GEB-DAD
Plaintiff,	)	
	)	
v.	)	<u>ORDER DENYING THE NEWARK</u>
	)	<u>GROUP'S MOTION FOR SETTING OF</u>
DOPACO, INC.,	)	<u>MANDATORY SETTLEMENT</u>
	)	<u>CONFERENCE</u>
Defendant.	)	
_____	)	

On October 24, 2011 Plaintiff filed a motion requesting "an order setting a mandatory settlement conference for the afternoon of November 21, 2011, following the parties' joint pretrial conference." (ECF No. 241.) Plaintiff also filed a stipulation and proposed order which contains an expedited briefing schedule for the motion and allows the motion to be heard sooner than what is prescribed in the applicable local rule. (ECF No. 242.)

Plaintiff states in its motion: the parties "have been unable to reach agreement on the particulars concerning the settlement conference[,]" and apparently have decided to brief whatever issue is involved with their disagreement, so that the dispute is resolved soon enough for a settlement conference to commence sometime in the afternoon of November 21, 2011, after the Final Pretrial Conference is conducted on the same date. However, since it is not in accordance with the practice of this Court to schedule a settlement conference on the same date as the Final Pretrial Conference, the motion will be denied.

1 Judicial practice in this district is to schedule a settlement  
2 conference after the Final Pretrial Conference, and during a three month  
3 period typically existing between the final pretrial conference and  
4 trial dates. This three month period typically exists so that the chosen  
5 settlement judge has time to absorb the settlement matter on his or her  
6 docket, with the understanding that by the time the settlement  
7 conference commences, that judge has had time to read the Final Pretrial  
8 Order. Therefore, Plaintiff's motion is DENIED, and the parties'  
9 stipulation and proposed order concerning an expedited briefing schedule  
10 and hearing date is also DENIED.

11 Dated: October 25, 2011

12  
13   
14 \_\_\_\_\_  
GARLAND E. BURRELL, JR.  
United States District Judge