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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DARRYL L. HUBBARD,
Plaintiff,
v.
C.D. HOUGLAND, et al.,
Defendants.

No. 2:09-cv-0939 TLN AC P

ORDER

Plaintiff is a former state prisoner proceeding pro se with a civil rights action pursuant to 42 U.S.C. § 1983. On May 19, 2015, this court ordered the parties to advise whether they agreed to the undersigned serving as the settlement judge in this case. ECF No. 153. Since defendants have not waived the disqualification of the undersigned (ECF No. 154), another magistrate judge has been randomly assigned for purposes of conducting a settlement conference. The settlement conference will be set to occur at the U. S. District Court, 501 I Street, Sacramento, California 95814 in Courtroom #24 before Magistrate Judge Carolyn K. Delaney on August 3, 2015, at 9:30 a.m.

Accordingly, IT IS HEREBY ORDERED that:

1. A settlement conference has been set for August 3, 2015 at 9:30 a.m. in Courtroom #24 before Magistrate Judge Carolyn K. Delaney at the U. S. District Court, 501 I Street, Sacramento, California 95814.

1 2. Parties are instructed to have a principal with full settlement authority present at the
2 Settlement Conference or to be fully authorized to settle the matter on any terms. The individual
3 with full authority to settle must also have “unfettered discretion and authority” to change the
4 settlement position of the party, if appropriate. The purpose behind requiring the attendance of a
5 person with full settlement authority is that the parties’ view of the case may be altered during the
6 face to face conference. An authorization to settle for a limited dollar amount or sum certain can
7 be found not to comply with the requirement of full authority to settle.

8 3. Parties are directed to submit confidential settlement statements no later than July 27,
9 2015, to ckdorders@caed.uscourts.gov. If plaintiff does not have access to e-mail, he shall mail
10 his confidential settlement statement to Sujean Park, ADR Division, 501 I Street, Suite 4-200,
11 Sacramento, California 95814 so it arrives no later than July 27, 2015. If a party desires to share
12 additional confidential information with the Court, they may do so pursuant to the provisions of
13 Local Rule 270(d) and (e). Parties are also directed to file a “Notice of Submission of
14 Confidential Settlement Statement” (See L.R. 270(d)).

15 Settlement statements should not be filed with the Clerk of the Court nor served on any
16 other party. Settlement statements shall be clearly marked “confidential” with the date and time
17 of the settlement conference indicated prominently thereon.

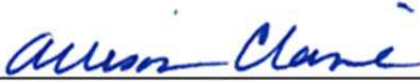
18 The confidential settlement statement shall be no longer than five pages in length, typed or
19 neatly printed, and include the following:

- 20 a. A brief statement of the facts of the case.
- 21 b. A brief statement of the claims and defenses, i.e., statutory or other grounds upon
22 which the claims are founded; a forthright evaluation of the parties’ likelihood of prevailing on
23 the claims and defenses; and a description of the major issues in dispute.
- 24 c. A summary of the proceedings to date.
- 25 d. An estimate of the cost and time to be expended for further discovery, pretrial, and
26 trial.
- 27 e. The relief sought.
- 28 f. The party’s position on settlement, including present demands and offers and a

1 history of past settlement discussions, offers, and demands.

2 g. A brief statement of each party's expectations and goals for the settlement
3 conference.

4 DATED: June 2, 2015

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6 ALLISON CLAIRE
7 UNITED STATES MAGISTRATE JUDGE
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