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

**GREGORY SMITH,**  
  
Plaintiff,  
  
v.  
  
**PREETRANJAN SAHOTA, et al.,**  
  
Defendants.

Case No. 2:10-cv-0762 KJM CKD P

**ORDER STAYING CASE AND SETTING  
SETTLEMENT CONFERENCE**

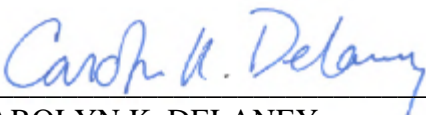
The Court has considered defendants' second request to modify the scheduling order so as to allow the parties to engage in settlement talks. Good cause appearing, IT IS HEREBY ORDERED THAT:

1. Defendants' motion to modify the scheduling order (Dkt. No. 74) is granted;
2. A settlement conference in this matter is set for 9 a.m. on February 7, 2013 before the Honorable Craig M. Kellison at the U.S. District Court, 501 I Street, Sacramento 95814 in Courtroom #2;
3. Defendants' lead counsel and a person with full and unlimited authority to negotiate and enter into a binding settlement on defendants' behalf shall attend in person.<sup>i</sup>
4. Those in attendance must be prepared to discuss the claims, defenses, and damages. The failure of any counsel, party or authorized person subject to this order to appear in

1 person may result in the imposition of sanctions. In addition, the conference will not proceed and  
2 will be reset to another date.

3 5. Deadlines for plaintiff's deposition, responses to plaintiff's discovery requests, and  
4 dispositive motions are stayed pending mediation, to be reset after mediation if necessary.

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6 Dated: October 31, 2012

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9 CAROLYN K. DELANEY  
10 UNITED STATES MAGISTRATE JUDGE

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23 <sup>i</sup> The individuals attending the mediation must be authorized to fully explore settlement  
24 options and to agree at that time to any settlement terms acceptable to the parties. G. Heileman  
25 Brewing Co., Inc. v. Joseph Oat Corp., 871 F.2d 648, 653 (7th Cir. 1989), cited with approval in  
26 Official Airline Guides, Inc. v. Goss, 6 F. 3d 1385, 1396 (9th Cir. 1993). The purpose behind  
27 requiring the attendance of a person with full settlement authority is that the parties' view of the  
28 case may be altered during the face to face conference. Pittman v. Brinker Int'l, Inc., 216 F.R.D.  
481, 485-86 (D. Ariz. 2003). An authorization to settle for a limited dollar amount or sum certain  
can be found not to comply with the requirement of full authority to settle. Nick v. Morgan's  
Foods, Inc., 270 F.3d 590, 596-97 (8th Cir. 2001).