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7	UNITED STATES DISTRICT COURT		
8	FOR THE EASTERN	DISTRICT OF CALIFORNIA	
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10	ESTATE OF JOSEPH DURAN, deceased, by and through STEVEN A. DURAN and	No. 2:14-cv-02048 TLN CKD	
11	ELAINE DURAN, as Successors in Interest, et al.,		
12	Plaintiffs,	ORDER SETTING SETTLEMENT CONFERENCE	
13	V.	CONTERENCE	
14	ROY C. CHAVEZ, et al.,		
15	Defendants.		
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17	Plaintiffs are proceeding through cou	nsel in this civil rights action pursuant to 42 U.S.C. §	
18	1983 and 1988. The Court has determined that this case will benefit from a settlement		
19	conference. Therefore, this case will be referred to Magistrate Judge Kendall J. Newman to conduct a settlement conference at the U.S. District Court, 501 I Street, Sacramento, California		
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21	95814 in Courtroom #25 on August 3, 2016 at 9:30 a.m. In accordance with the above, IT IS HEREBY ORDERED that:		
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23	1. This case is set for a settlement co	onference before Magistrate Judge Kendall J.	
24	Newman on August 3, 2016 at 9:3	30 a.m. at the U. S. District Court, 501 I Street,	
25	Sacramento, California 95814 in C		
26	·	mited authority to negotiate and enter into a binding	
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1		settlement shall attend in person. ¹
2	3.	Those in attendance must be prepared to discuss the claims, defenses and damages.
3		The failure of any counsel, party or authorized person subject to this order to appear in
4		person may result in the imposition of sanctions. In addition, the conference will not
5		proceed and will be reset to another date.
6	4.	The parties are directed to exchange non-confidential settlement statements seven days
7		prior to the settlement conference. These statements shall simultaneously be delivered
8		to the court using the following email address: kjnorders@caed.uscourts.gov. If a
9		party desires to share additional confidential information with the court, they may do
10		so pursuant to the provisions of Local Rule 270(d) and (e).
11	Dated: M	ay 10, 2016 Carol U. Delany
12		CAROLYN K. DELANEY
13		UNITED STATES MAGISTRATE JUDGE
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21	¹ While the	exercise of its authority is subject to abuse of discretion review, "the district court has the authority to
22	order parties, including the federal government, to participate in mandatory settlement conferences" <u>United States</u> v. <u>United States District Court for the Northern Mariana Islands</u> , 694 F.3d 1051, 1053, 1057, 1059 (9 th Cir.	
23	2012)("the o	district court has broad authority to compel participation in mandatory settlement conference[s]."). The athority to settle" means that the individuals attending the mediation conference must be authorized to
24	fully explore <u>Heileman B</u>	e settlement options and to agree at that time to any settlement terms acceptable to the parties. <u>G.</u> rewing Co., Inc. v. Joseph Oat Corp., 871 F.2d 648, 653 (7 th Cir. 1989), cited with approval in Official
25	Airline Guid have "unfett	les, Inc. v. Goss, 6 F.3d 1385, 1396 (9 th Cir. 1993). The individual with full authority to settle must also ered discretion and authority" to change the settlement position of the party, if appropriate. <u>Pitman v.</u>
26	2003 WL 23	L., Inc., 216 F.R.D. 481, 485-86 (D. Ariz. 2003), amended on recon. in part, Pitman v. Brinker Int'l., Inc., 3353478 (D. Ariz. 2003). The purpose behind requiring the attendance of a person with full settlement
27		that the parties' view of the case may be altered during the face to face conference. <u>Pitman</u> , 216 F.R.D. 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).

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