

1 501 I Street, Sacramento, CA 95814, a confidential settlement conference statement. These
2 statements should neither be filed on the docket nor served on any other party. The statements
3 should be marked “CONFIDENTIAL” and should state the date and time of the conference. The
4 statements should not be lengthy but should include:

5 (1) a brief recitation of the facts;

6 (2) a discussion of the strengths and weaknesses of the case;

7 (3) an itemized estimate of the expected costs for further discovery, pretrial, and trial
8 matters, in specific dollar terms;

9 (4) your best estimate of the probability that plaintiff will obtain a finding of liability
10 should this case proceed to trial, in percentage terms;

11 (5) should this case proceed to trial and defendant be found liable, please provide the
12 following, in specific dollar terms:

13 (a) a realistic high-end recovery estimate (*i.e.*, realistic best- or worst-case
14 scenario);

15 (b) a realistic low-end recovery estimate (*i.e.*, realistic worst- or best-case
16 scenario); and

17 (c) a best estimate of the most likely outcome;

18 (6) a history of settlement discussions, including:

19 (a) a statement of your expectations for settlement discussions;

20 (b) a listing of any past and present settlement offers from any party (including all
21 terms);

22 (c) whether your party would consider making the opening offer or demand, and
23 what that offer might be¹;

24 (7) a list of the individuals who will be participating in the settlement conference on your
25 party’s behalf, including each participant’s name and, if appropriate, title; and

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27 _____
28 ¹ Please note that Judge Peterson will consider this response, among others, in evaluating
whether proceeding with a settlement conference appears worthwhile.

1 (8) identification of any related cases or of any other cases that the parties might wish to
2 discuss at this settlement conference.

3 In accordance with the above, it is hereby ORDERED that:

4 1. A settlement conference is set before Magistrate Judge Peterson on January 26, 2022,
5 at 10:00 a.m.

6 2. No later than January 19, 2022, each party must submit a confidential settlement
7 conference statement, as described above, to Magistrate Judge Peterson.

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10 Dated: November 18, 2021

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JEREMY D. PETERSON
UNITED STATES MAGISTRATE JUDGE

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