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UNITED STATES DISTRICT COURT  
For the Northern District of California

UNITED STATES DISTRICT COURT  
Northern District of California

ROBERT CRUZ,

No. C 10-01868 JCS (MEJ)

Plaintiff(s),

v.

**AMENDED ORDER SCHEDULING  
SETTLEMENT CONFERENCE**

STARBUCKS CORPORATON,

Defendant(s).

This case has been referred for a Settlement Conference before Magistrate Judge Maria-Elena James. The Settlement Conference shall take place on **April 24, 2012, at 10:00 a.m. in Magistrate Judge James' CHAMBERS** (not the courtroom), located on the 15th Floor of the Federal Building, 450 Golden Gate Avenue, San Francisco, California 94102. The parties shall immediately notify the Courtroom Deputy, Rose Maher, at (415) 522-4708, if this matter settles or is dismissed before the conference.

On the date of the settlement conference, the parties shall use the intercom adjacent to chambers' security entrance to notify the Court of their arrival. All parties and their counsel of record are required to attend the settlement conference in person, with full authority to negotiate and settle the case. Counsel who attends the settlement conference without full authority to settle may be subject to sanctions, pursuant to Federal Rule of Civil Procedure 16(f). Parties may only be excused from attending the settlement conference in person upon written authorization from Magistrate Judge

1 James. Any such request must be submitted at least 14 days in advance of the conference.

2 To reschedule a settlement conference, counsel shall contact the Courtroom Deputy, Rose  
3 Maher, at (415) 522-4708 at least seven days in advance to obtain a new date. Counsel shall confirm  
4 the new date and time with opposing counsel and thereafter file a joint stipulation and proposed order  
5 which sets forth the new date and time of the settlement conference. The original settlement  
6 conference date will remain on calendar until the Court receives said joint stipulation.

7 Settlement Conference statements are due at least seven days in advance of the conference.  
8 The statements shall not be filed and shall not be served upon other parties or their counsel. Only the  
9 Court and its personnel shall have access to these statements. Statements shall be submitted in a  
10 sealed envelope to the Clerk's Office, located at 450 Golden Gate Avenue, 16th Floor, P.O. Box  
11 36060, San Francisco, California 94102. Envelopes should be prominently marked  
12 "CONFIDENTIAL - SETTLEMENT CONFERENCE STATEMENT - DO NOT FILE."

13 The form and content of the statement may vary depending on the case. Generally, the  
14 statement shall include the following:

- 15 1. Statement of Facts. A brief description of the facts giving rise to the case.
- 16 2. Summary of Proceedings. A brief summary of the proceedings to date.
- 17 3. Undisputed Matters. A brief statement of all material facts not in dispute.
- 18 4. Disputed Issues of Fact. A brief statement of disputed material facts.
- 19 5. Disputed Issues of Law. A brief statement of the disputed points of law, including reference  
20 to specific statutes and decisions relied upon. Extended legal argument is not appropriate.  
21 Reference may be made to Points and Authorities previously filed.
- 22 6. Relief Sought. A statement of the relief sought, including an itemization of all elements of  
23 damages and a breakdown of the estimated cost projected for the litigation if it proceeds to  
24 trial.
- 25 7. Prior Settlement Discussions. A chronological summary of prior settlement negotiations,  
26 including settlement offers and responses thereto.
- 27 8. Settlement Analysis. A forthright evaluation of the strengths and weaknesses of your case and  
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the probabilities of prevailing on the major issues in dispute.

9. Discrete Issues. Identify and prioritize any discrete issues which, if resolved, would aid in the disposition of the case.

10. Current Settlement Position. Set forth a reasonable proposal of settlement.

**IT IS SO ORDERED.**

Dated: April 12, 2012



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Maria-Elena James  
Chief United States Magistrate Judge