

UNITED STATES DISTRICT COURT
For the Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

TODD GELFAND,

No. C 12-04819 EMC (LB)

Plaintiff(s),

**ORDER REGARDING SETTLEMENT
CONFERENCE**

v.

NORTH AMERICAN CAPACITY
INSURANCE COMPANY,

Defendant(s).

_____ /

The parties have a settlement conference set for August 21, 2013. This order is to make sure that the settlement conference is as effective as possible. The additional information may be submitted by email to the orders box at lbpo@cand.uscourts.gov.

1. The parties' current demand and response are not clear from their settlement statements, and the court's settlement conference order requires those positions to be identified before the settlement conference. As soon as possible, but no later than 5 p.m. on Monday, August 19, 2013, Reata must communicate its demand to NAC. As soon as possible but no later than 4:00 p.m. on Tuesday, August 20, 2013, NAC must respond. Both demand and response must be emailed to the court.

2. The court's order requires all decision makers to be present unless the court approves other arrangements. The court mentions it here because the costs of litigation seem close to eclipsing the possible recoveries even under best case scenarios, which makes it very important that decision

1 makers be part of the process. It is not clear how the decision process works on Reata's side with
2 the interplay of trust and beneficiary. The court asks for some context (either exchanged or
3 confidential) by email to the court's orders box by 4 p.m. on Monday, August 19. Counsel should
4 confer with the client (including the beneficiary if appropriate) regarding the interplay between cost
5 and outcome that the court has identified.

6 **IT IS SO ORDERED.**

7 Dated: August 17, 2013



8 LAUREL BEELER
United States Magistrate Judge

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