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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ROYCE MCLEMORE,
Plaintiff,
v.
MARIN HOUSING AUTHORITY, et al.,
Defendants.

Case No. [3:20-cv-05431-JD](#) (KAW)

**ORDER REGARDING FURTHER
SETTLEMENT CONFERENCE**

Re: Dkt. No. 41

A further settlement conference has been set for January 23, 2023 at 3:00 PM via Zoom. (Clerk’s Notice, Dkt. No. 41.) The parties are directed to review the undersigned’s Settlement Conference Standing Order, which applies to this proceeding. Additionally, to assist the parties in their preparation, and to ensure that the further settlement conference is productive, the Court provides the following instructions pertaining to the forthcoming submissions and sets intervening deadlines:

A. Deadline for Submission to the Court

As previously set, the parties must lodge hard and soft copies of their settlement conference submissions and the draft remediation plan by **Monday, January 9, 2022**. (Clerk’s Notice, Dkt. No. 41.) The parties are advised that the Oakland Clerk’s Office closes at 1:00 PM, but that they may utilize the drop box in the lobby until 5:00 PM.

The hard copies must have all exhibits tabbed. The soft copies must be in a single PDF with all attachments labeled and bookmarked for ease of use. The settlement conference will be vacated if the parties fail to timely lodge both the hard and soft copies of their submissions or if the submissions fail to comply with this order or the Settlement Conference Standing Order.

1 **B. Prior Submissions**

2 As set forth in the Court’s Settlement Conference Standing Order, the parties shall only
3 provide updated statements and confidential letters “to inform the Court of the status of the action
4 and any developments that have occurred since the last settlement conference.” (Judge
5 Westmore’s Settlement Conference Standing Order ¶ 10.) They should not restate previously
6 provided information or include any documents already provided in connection with the initial
7 settlement conference. The undersigned does not have the judicial resources to compare the
8 updated statements to the prior statements.

9 That said, in order to conserve limited judicial resources, the undersigned will not review
10 the submissions provided by the parties in connection with the further settlement conferences that
11 did not go forward (October 4, 2022 and November 29, 2022). Any relevant documents that were
12 first provided in connection with those proceedings must be lodged again and in accordance with
13 the instructions below.

14 **C. Documents and Deadlines**

15 To streamline the parties’ submissions, the Court will require that they do the following:

- 16 1. **Updated Demand:** Plaintiff shall serve an updated demand on Defendants on or
17 before **December 14, 2022**. The demand must explain how the amounts were
18 calculated, including providing authority in support of all claimed damages, including
19 emotional distress.
- 20 2. **Counter:** Defendants shall respond to Plaintiff’s updated demand by **December 21,**
21 **2022.**
- 22 3. **Draft Remediation Plan:** Defendants shall prepare a robust draft remediation plan,
23 with only those supporting documents¹ attached that the undersigned would truly
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25 ¹ The undersigned’s Settlement Conference Standing Order generally limits the parties to 20 pages
26 of exhibits. This requires the parties to be very selective in what they choose to provide, and it
27 may require Defendants to summarize documents that are not provided in the draft remediation
28 plan and create a comprehensive remediation plan document. The Court will not review exhibits in
the manner submitted by the parties on November 17, 2022, which did not comply with the
Settlement Conference Standing Order or the instructions provided on the docket. (*See* Dkt. Nos.
38 & 39.)

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benefit from reviewing in connection with the further settlement conference. Each exhibit must be referenced in the remediation plan, and all such references must cite to a specific page number in the exhibit. There shall also be a document appendix before the attached exhibits that provides the page of the remediation plan where the exhibit is cited. Defendants shall provide Plaintiff with the draft plan at the time the counteroffer is made, which shall be no later than **December 21, 2022**. Plaintiff will then address the substance of the draft remediation plan in the updated exchanged statement.

- 4. **Meet and Confer Requirement:** The parties shall meet and confer, as required by Para. 3 of the Settlement Conference Standing Order, by **January 4, 2023**.
- 5. **Updated Exchanged Statements:** By **January 9, 2023**, the parties shall exchange updated statements in accordance with the Settlement Conference Standing Order. (Judge Westmore’s Settlement Conference Standing Order ¶¶ 6-7, 10.) This shall be limited to any developments since the initial session in August, the party’s current settlement position (demand or counter), and any additional documents the parties want the undersigned to review. All exhibits shall be cited to in statement along with a pin cite to the page to which it is referring. As provided above, Plaintiff shall also address the draft remediation plan in the updated statement.
- 6. **Confidential Letters:** By **January 9, 2023**, the parties shall lodge confidential letters containing any additional information, as required by Paras. 7 and 10 of the Settlement Conference Standing Order. Again, any attached exhibits must be referenced in the letter. These letters should not be exchanged with the opposing party.

IT IS SO ORDERED.

Dated: November 18, 2022


KANDIS A. WESTMORE
United States Magistrate Judge