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DECLARATION IN SUPPORT OF APPLICATION FOR ASSIGNMENT TO THE ASSISTED SETTLEMENT

CONFERENCE PROGRAM

1 2 3 4 5 6 UNITED STATES DISTRICT COURT 7 8 NORTHERN DISTRICT OF CALIFORNIA 9 SAN JOSE DIVISION 10 11 Case No. 11-04521 HRL PADMAVATHI NUKALA, 12 Plaintiff, DECLARATION IN SUPPORT OF 13 APPLICATION FOR v. APPOINTMENT OF AN 14 SANTA CLARA COUNTY OFFICE OF ATTORNEY FOR LIMITED EDUCATION, SCOPE REPRESENTATION 15 Defendant. 16 17 18 19 20 I, _____, am the plaintiff in this case and apply for appointment of an 21 attorney for the limited purpose of a Settlement Conference. In support of this application, I declare 22 as follows: 23 1. REPRESENTATION. I am not represented by an attorney and no attorney has made 24 an appearance for me in this case. 25 2. SETTLEMENT CONFERENCE. I understand that a settlement conference will be 26 scheduled in this case to explore if a mutually satisfactory agreement resolving all or part of this 27

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case can be reached. I believe my participation in a settlement conference would be facilitated if I received assistance in participating in such a settlement conference.

- 3. ASSISTED SETTLEMENT CONFERENCE. I understand that if the court agrees and if a suitable volunteer attorney is willing to be appointed, I will be offered the assistance of an attorney who will be designated as Settlement Counsel to help me prepare for, participate in, and pursue follow up to a settlement conference. I also understand that the role of Settlement Counsel is only to educate and assist my preparation for, participation in, and follow up to the settlement conference.
- 4. LIMITED ASSISTANCE. I understand that the help provided by Settlement Counsel is limited to assisting me in connection with the settlement conference. Accordingly, I:
- (a) Understand that Settlement Counsel will provide no other service of any kind in this case.
- (b) Agree that the scope of Settlement Counsel's duties to me will extend no further than is necessary to educate me and assist me to prepare for, participate in, and follow up on the settlement conference.
- (c) Acknowledge that Settlement Counsel's responsibility to help educate me about the process will not involve any control of the case or the settlement conference.
- (d) Acknowledge and agree that Settlement Counsel will not analyze my overall legal needs, conduct independent investigation of my case, or represent me in such matter.
- (e) Understand that Settlement Counsel will not advise me about the need to contact other counsel for purposes of obtaining legal advice.
- 5. PRO SE STATUS. I acknowledge that I continue to provide my own representation in this case and in the settlement conference and that Settlement Counsel will only assist and educate me in this endeavor. I further acknowledge that I have made reasonable efforts to find an attorney willing to represent me in this case, but have been unable to retain an attorney on terms that I can afford.

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| | 6. | NO CONTRACT. I understand and agree that I have no contractual relationship with |
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| Settlement Counsel for legal or other services, and that I will enter into no contract with Settlement | | |
| Counsel, absent a written order by the court permitting such a contract. | | |

7. UNDERSTANDING AND AFFIRMATION. I have assessed the prospect of participating in a settlement conference and acknowledge that there is no foreseeable harm that I will suffer in the event that the settlement conference does not lead to resolution of the case. I confirm that I have carefully considered the limited assistance to be given by a Settlement Counsel and confirm that my decision to apply is made knowing that the limited role to be played by Settlement Counsel is to provide only education and assistance in the settlement conference.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated: Signature

Name (Printed)

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