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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

KENNETH FISHER,)	Case No. 09cv2572-JM (BLM)
)	
Plaintiff,)	ORDER GRANTING JOINT MOTION
)	AND CONVERTING EARLY NEUTRAL
v.)	EVALUATION CONFERENCE TO
)	TELEPHONIC, ATTORNEYS-ONLY
SAN DIEGO COUNTY DEPUTY)	CONFERENCE
SHERIFFS JEFFREY HOUSER and)	
CHRIS HYDAR,)	[Doc. No. 5]
Defendants.)	
)	

On January 25, 2010, the parties submitted a joint motion to continue the Early Neutral Evaluation Conference ("ENE") currently set for February 24, 2010. Doc. No. 5. In support, Plaintiff's counsel states that he is scheduled to begin a jury trial in an unrelated case on February 23, 2010. Id. The motion is **GRANTED** as follows:

The February 24, 2010 ENE is **VACATED**. An attorneys-only, telephonic ENE is set for **March 1, 2010** at **9:00 a.m.** The Court will initiate the conference call. Failure to participate may result in the imposition of sanctions.

As set forth in the Court's January 22, 2010 order (Doc. No. 4), confidential ENE statements are required. No later than five (5) court days prior to the ENE, the parties shall submit confidential statements

1 no more than ten (10) pages¹ in length directly to the chambers of the
2 Honorable Barbara L. Major. **These confidential statements shall not be**
3 **filed or served on opposing counsel.** Each party's confidential
4 statement must include the following:

5 a. A brief description of the case, the claims and/or
6 counterclaims asserted, and the applicable defenses or position
7 regarding the asserted claims;

8 b. A specific and current demand or offer for settlement
9 addressing all relief or remedies sought. If a specific demand or offer
10 for settlement cannot be made at the time the brief is submitted, then
11 the reasons therefore must be stated along with a statement as to when
12 the party will be in a position to state a demand or make an offer; and

13 c. A brief description of any previous settlement negotiations,
14 mediation sessions, or mediation efforts.

15 General statements that a party will "negotiate in good faith" is
16 not a specific demand or offer contemplated by this Order. It is
17 assumed that all parties will negotiate in good faith.

18 **IT IS SO ORDERED.**

19 DATED: January 27, 2010

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21 BARBARA L. MAJOR
22 United States Magistrate Judge

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¹ The parties shall not append attachments or exhibits to the ENE statement.