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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

LYNN EVENCHIK, on behalf of herself
and all others similarly situated,

Plaintiff,

v.

AVIS RENT A CAR SYSTEM, LLC,

Defendant.

Civil No. 12-cv-0061-BEN (DHB)

**ORDER SCHEDULING
SETTLEMENT CONFERENCE**

On October 30, 2013, counsel for the parties jointly contacted the Court to schedule a Settlement Conference. Accordingly, IT IS HEREBY ORDERED that a Settlement Conference shall be conducted on **November 26, 2013** at **9:00 a.m.** in the chambers of Magistrate Judge David H. Bartick. Counsel may, but are not required to, submit settlement statements to the Court. Any settlement statements shall be submitted **directly** to Magistrate Judge Bartick’s chambers no later than **November 19, 2013**.¹ The parties may either submit confidential settlement statements or may exchange their settlement statements. All named parties, all counsel, and any other person(s) whose authority is required to negotiate and enter into settlement shall appear in person at the conference. The individual(s) present at

¹ Statements under 20 pages in length, including attachments and exhibits, may be delivered directly to chambers or e-mailed to efile_Bartick@casd.uscourts.gov. Statements exceeding 20 pages in length, including attachments and exhibits, must be delivered directly to chambers.

1 the Settlement Conference with settlement authority must have the unfettered discretion and
2 authority on behalf of the party to: 1) fully explore all settlement options and to agree during
3 the Settlement Conference to any settlement terms acceptable to the party (*G. Heileman*
4 *Brewing Co., Inc. v. Joseph Oat Corp.*, 871 F.2d 648, 653 (7th Cir. 1989)), 2) change the
5 settlement position of a party during the course of the Settlement Conference (*Pitman v.*
6 *Brinker Int'l, Inc.*, 216 F.R.D. 481, 485-86 (D. Ariz. 2003)), and 3) negotiate a settlement
7 without being restricted by any predetermined level of authority (*Nick v. Morgan's Foods,*
8 *Inc.*, 270 F.3d 590, 596 (8th Cir. 2001)).

9 **IT IS SO ORDERED.**

10 DATED: October 31, 2013

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12 DAVID H. BARTICK
13 United States Magistrate Judge
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