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8 UNITED STATES DISTRICT COURT
9 SOUTHERN DISTRICT OF CALIFORNIA
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11 AMERANTH, INC.,

12 Plaintiff,

13 v.

14 DOMINO'S PIZZA, LLC *et al.*,

15 Defendants.
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Case No.: 12-CV-733-DMS(WVG)

**NOTICE AND ORDER FOR
SETTLEMENT CONFERENCE**

17 IT IS HEREBY ORDERED that a settlement conference (“SC”) will be held in the
18 above-captioned case on **April 7, 2021, at 2:00 p.m.**, before United States Magistrate
19 Judge William V. Gallo.¹ This conference will be held via Zoom videoconference as set
20 forth in Appendix A.

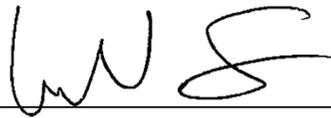
21 Pursuant to Federal Rule of Civil Procedure 16 and Local Civil Rule 16.3, all named
22 Plaintiffs, named Defendants, claims adjusters for insured defendants, and if a named
23 Plaintiff or Defendant is a corporation, partnership, or other entity, a representative of that
24 entity, with full and unlimited authority to negotiate and enter into a binding settlement,
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27 ¹ In the event the Honorable Dana M. Sabraw issues a ruling on Plaintiff’s forthcoming
28 motion for reconsideration prior to this date, the parties shall jointly notify the Court of
such ruling within two court days via efile_Gallo@casd.uscourts.gov.

1 as well as the principal attorney(s) responsible for the litigation, must be present and must
2 be prepared to discuss in good faith, the facts of the case, the law that governs the legal
3 issues in the case, and to resolve the case at the SC. Sanctions may issue against a party
4 and/or attorney who does not proceed as noted above. Retained outside corporate counsel
5 shall not appear on behalf of a corporation as the party who has the authority to negotiate
6 and enter into a settlement. Failure to attend the conference or participate in good faith or
7 obtain proper excuse will be considered grounds for sanctions.

8 **IT IS SO ORDERED.**

9 DATED: February 17, 2021

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12 Hon. William V. Gallo
13 United States Magistrate Judge
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1 would conduct an in-person SC. That is, the Court will begin the SC with all participants
2 joined together in a main session. After an initial discussion in the main session, the Court
3 will divide participants into separate, confidential sessions, which Zoom calls “Breakout
4 Rooms.”⁴ In a Breakout Room, the Court will be able to communicate with participants
5 from a single party in confidence. Breakout Rooms will also allow parties and counsel to
6 communicate confidentially without the Court.

7 5. **No later than February 26, 2021**, counsel for each party shall send an e-mail
8 to the Court at efile_Gallo@casd.uscourts.gov containing the following:

9 a. The **name and title of each participant**, including all parties and party
10 representatives with full settlement authority, claims adjusters for insured
11 defendants, and the primary attorney(s) responsible for the litigation;

12 b. An **e-mail address for each participant**. This email address should be
13 the same address the participant has used to create his or her Zoom account; and

14 c. A **telephone number where each participant** may be reached so that
15 if technical difficulties arise, the Court will be in a position to proceed telephonically
16 instead of by video conference. (If counsel prefers to have all participants of their
17 party on a single conference call, counsel may provide a conference number and
18 appropriate call-in information, including an access code, where all counsel and
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21 ⁴ For more information on what to expect when participating in a Zoom
22 Breakout Room, visit: [https://support.zoom.us/hc/en-](https://support.zoom.us/hc/en-us/articles/115005769646)
23 [us/articles/115005769646](https://support.zoom.us/hc/en-us/articles/115005769646). In short, the Court will manually place each
24 participant in their respective Breakout Room. When the Court does this, on the
25 participants device, the participant will see a notification regarding joining the
26 Breakout Room. The participant should select the option to join the room. If the
27 Court then wishes to close the Breakout Rooms and converse with all parties
28 and counsel, the participant should choose the option that will appear on his or
her device to leave the Breakout Room—this will send the participant to the
group room; it will not expel the participant from the conference.

1 parties or party representatives for that side may be reached as an alternative to
2 providing individual telephone numbers for each participant.)

3 6. All participants shall display the same level of professionalism during the SC and be
4 prepared to devote their full attention to the SC as if they were attending in person. Because
5 Zoom may quickly deplete the battery of a participant's device, each participant should
6 ensure that their device is plugged in or that a charging cable is readily available during the
7 video conference. Participants should also participate in the conference in a location that
8 allows for privacy and which does not contain background noise such as dogs barking,
9 children, or other noise that will disrupt the conference.

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