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8 UNITED STATES DISTRICT COURT  
9 SOUTHERN DISTRICT OF CALIFORNIA

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11 DAVID R. HORN,

12 Plaintiff,

13 v.

14 UNITED STATES OF AMERICA,

15 Defendant.

Case No.: 15cv423 GPC (JMA)

**ORDER SCHEDULING  
SETTLEMENT CONFERENCE**

16  
17 The Court convened a Case Management Conference on March 30, 2016  
18 at 2:30 p.m.

19 **IT IS HEREBY ORDERED** that a Settlement Conference will be held in the  
20 chambers of Magistrate Judge Jan M. Adler on **May 23, 2016** at **2:00 p.m.**,  
21 Edward J. Schwartz United States Courthouse, 221 West Broadway, San Diego,  
22 California. Counsel shall submit settlement statements to Magistrate Judge  
23 Adler's chambers no later than **May 16, 2016**.<sup>1</sup> The parties may either submit  
24 confidential settlement statements or may exchange their settlement statements.


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27 <sup>1</sup> Statements under 20 pages in length, including attachments and exhibits, may be e-mailed  
28 to [efile\\_adler@casd.uscourts.gov](mailto:efile_adler@casd.uscourts.gov), faxed to (619) 702-9939, or delivered to chambers via the  
Office of the Clerk of Court at 333 West Broadway, Suite 420, San Diego, California.  
Statements exceeding 20 pages in length, including attachments and exhibits, must be  
delivered to chambers via the Office of the Clerk of Court.

1 All named parties, all counsel, and any other person(s) whose  
2 authority is required to negotiate and enter into settlement shall appear in  
3 person at the conference. The individual(s) present at the Settlement  
4 Conference with settlement authority must have the unfettered discretion  
5 and authority on behalf of the party to: 1) fully explore all settlement  
6 options and to agree during the conference to any settlement terms  
7 acceptable to the party (G. Heileman Brewing Co., Inc. v. Joseph Oat Corp.,  
8 871 F.2d 648, 653 (7th Cir. 1989)), 2) change the settlement position of a  
9 party during the course of the conference (Pitman v. Brinker Int'l, Inc., 216  
10 F.R.D. 481, 485-86 (D. Ariz. 2003)), and 3) negotiate a settlement without  
11 being restricted by any predetermined level of authority (Nick v. Morgan's  
12 Foods, Inc., 270 F.3d 590, 596 (8th Cir. 2001)). Governmental entities may  
13 appear through litigation counsel only. As to all other parties, appearance by  
14 litigation counsel only is not acceptable. Retained outside corporate counsel  
15 shall not appear on behalf of a corporation as the party who has the authority to  
16 negotiate and enter into a settlement.

17 **The failure of any counsel, party or authorized person to appear at the**  
18 **Settlement Conference as required shall be cause for the immediate**  
19 **imposition of sanctions.** All conference discussions will be informal, off the  
20 record, privileged, and confidential.

21 **IT IS SO ORDERED.**

22 Dated: March 30, 2016

23   
24 Honorable Jan M. Adler  
25 United States Magistrate Judge  
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