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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

SOLATUBE GLOBAL MARKETING,
INC., a Washington corporation;
INTERNATIONAL MARKETING
GROUP, LLC, DBA
HYPERIOGLOBAL LLC, a Nevada
limited liability company ,

Plaintiffs,

v.

SOLATUBE INTERNATIONAL, INC.,
a Delaware corporation; SOLATUBE
WORLDWIDE SALES LLC, a
California limited liability company;
ROBERT WESTFALL, individually
and as President of SOLATUBE
INTERNATIONAL, INC. and
SOLATUBE WORLDWIDE SALES
LLC; DAVID RILLIE, individually and
as Chief Executive Officer of
SOLATUBE INTERNATIONAL, INC. ,

Defendants.

Case No.: 16CV3110-LAB(JMA)

**ORDER SCHEDULING
SETTLEMENT CONFERENCE**

A telephonic Early Neutral Evaluation Conference was held on June 20,
2017, at 10:00 a.m. After conferring with counsel and with good cause appearing,

1 the Court defers setting deadlines for compliance with Fed. R. Civ. P. Rule 26(a)
2 and (f).

3 A Settlement Conference will be held in the chambers of Magistrate Judge
4 Jan M. Adler on **September 6, 2017** at **2:00 p.m.**, Edward J. Schwartz United
5 States Courthouse, 221 West Broadway, San Diego, California. Counsel shall
6 submit settlement statements to Magistrate Judge Adler's chambers no later than
7 **August 30, 2017**.¹ The parties may either submit confidential settlement
8 statements or may exchange their settlement statements.

9 **All named parties, all counsel, and any other person(s) whose**
10 **authority is required to negotiate and enter into settlement shall appear in**
11 **person at the conference. The individual(s) present at the Settlement**
12 **Conference with settlement authority must have the unfettered discretion**
13 **and authority on behalf of the party to: 1) fully explore all settlement**
14 **options and to agree during the conference to any settlement terms**
15 **acceptable to the party (*G. Heileman Brewing Co., Inc. v. Joseph Oat Corp.*,**
16 **871 F.2d 648, 653 (7th Cir. 1989)), 2) change the settlement position of a**
17 **party during the course of the conference (*Pitman v. Brinker Int'l, Inc.*, 216**
18 **F.R.D. 481, 485-86 (D. Ariz. 2003)), and 3) negotiate a settlement without**
19 **being restricted by any predetermined level of authority (*Nick v. Morgan's***
20 **Foods, Inc., 270 F.3d 590, 596 (8th Cir. 2001)). Governmental entities may
21 appear through litigation counsel only. As to all other parties, appearance by
22 litigation counsel only is not acceptable. Retained outside corporate counsel
23 shall not appear on behalf of a corporation as the party who has the authority to
24**

25
26 ¹ Statements under 20 pages in length, including attachments and exhibits, may be e-mailed
27 to efile_adler@casd.uscourts.gov, faxed to (619) 702-9939, or delivered to chambers via the
28 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 negotiate and enter into a settlement.

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

6 **IT IS SO ORDERED.**

7 Dated: June 20, 2017

8 
9 Honorable Jan M. Adler
United States Magistrate Judge

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