

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 1:07-cv-01803-WYD-MEH

SANDIE HIMMELMAN,  
BRIAN HIMMELMAN, and  
TYLER HIMMELMAN, a minor child through his next friend, Sandie Himmelman,

Plaintiffs,

v.

ROANOKE COMPANIES GROUP, INC., now known as BRITT, INC.,  
HOME DEPOT U.S.A., INC., and  
ORTEC, INC.,

Defendants.

ORTEC, INC.,

Cross Claimant,

v.

HOME DEPOT U.S.A., INC.,  
AEROFIL TECHNOLOGY, INC., and  
SLR, INC.,

Cross Defendants.

---

**MINUTE ORDER**

---

**Entered by Michael E. Hegarty, United States Magistrate Judge, on August 26, 2010.**

The Motion to be Excluded from Settlement Conference for Cross Claimant SLR, Inc. [[filed August 25, 2010; docket # 62](#)] is **denied without prejudice** for failure to comply with D.C. Colo. LCivR 7.1A. *See Hoelzel v. First Select Corp.*, 214 F.R.D. 634, 636 (D. Colo. 2003) (because Rule 7.1A requires meaningful negotiations by the parties, the rule is not satisfied by one party sending the other party a single email, letter or voicemail). The motion reflects that Defendant has had contact with only some of the parties in this case.

Moreover, the motion seeks an order excusing *counsel* for SLR, Inc. from the conference; however, as in all cases before this Court, the Court's order setting the conference requires the presence of the *parties* (persons with full settlement authority) and/or their counsel for settlement negotiations.