

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 10-cv-00644-PAB-MJW

SHANNON FREEMAN, Personal Representative of B.H., a child, and
STEPHANIE HANNA, as representative of the Estate of Robert Hanna, deceased,

Plaintiff(s),

v.

GREGORY COSTA, PA-C,

Defendant(s).

ORDER SETTING SETTLEMENT CONFERENCE

Entered by Magistrate Judge Michael J. Watanabe

Pursuant to the Order Referring Case to Magistrate Judge Watanabe (Docket No. 145) and the Minute Order (Docket No. 146) entered by Judge Brimmer, it is hereby

ORDERED that a Settlement Conference is set on April 17, 2013, at 1:30 p.m. in Courtroom A-502, Fifth Floor, Alfred A. Arraj U.S. Courthouse, 901 19th Street, Denver, Colorado.

FURTHER, IT IS ORDERED that counsel **shall have parties present** who shall have **full authority** to negotiate all terms and demands presented by the case, and **full authority** to enter into a settlement agreement, including an adjustor if an insurance company is involved. "Full authority" means that the person who attends the settlement conference has the complete and unfettered capacity and authority to meet or pay all terms or amounts which are demanded or sought by the other side of the case without consulting with some other person, committee or agency. If any person has limits upon the extent or amount within which he or she is authorized to settle on behalf of a party, that person does not have "full authority." **No party shall be permitted to attend the settlement conference by phone unless that party has obtained leave of Court following the filing of an appropriate motion, no later than five (5) business days prior to the settlement conference date.**

In order that productive settlement discussions can be held, the parties shall prepare and submit **two** settlement documents: one to be mailed to the other party or parties, and the other to be mailed only to the Magistrate Judge. The documents which

are presented to opposing parties shall contain an overview of the case from the presenter's point of view, shall summarize the evidence which supports that side's claims, and shall present a demand or offer. These documents should be intended to persuade the clients and counsel on the other side.

The document to be mailed to the Magistrate Judge shall contain copies of the above materials, but additionally shall contain any confidential comments which counsel wishes to make, any comments with regard to perceived weaknesses in the case, and any comments which would be helpful to the Magistrate Judge in assisting the parties to negotiate a settlement.

ECF participants shall e-mail their Confidential Settlement Statements to chambers with **a subject line “Confidential Settlement Statement” and their CASE NUMBER, and DATE OF THE SETTLEMENT CONFERENCE** to: [Watanabe Chambers@cod.uscourts.gov](mailto:Watanabe_Chambers@cod.uscourts.gov), no later than five (5) business days prior to the settlement conference date. The Confidential Settlement Statement should be in PDF format and sent as an *attachment* to the e-mail. Statements containing more than 15 pages *should also be submitted to chambers on paper* (hard copy), with the envelope addressed to “Magistrate Judge Watanabe Chambers, Personal and Confidential.” Confidential Settlement Statements prepared by parties not represented by counsel, or without access to ECF, shall be submitted on paper to the Clerk’s Office.

Date: March 11, 2013
