

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 10-cv-01348-CMA-KLM

20/20 FINANCIAL CONSULTING, INC., a Colorado corporation,

Plaintiff,

v.

CLEAR CREEK CONSULTING, INC., a Colorado corporation, and  
JOHN DOES 1-5,

Defendants.

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**MINUTE ORDER**

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**ENTERED BY MAGISTRATE JUDGE KRISTEN L. MIX**

This matter is before the Court on the **Unopposed Motion to Permit Defendant's Insurance Adjuster to Attend Settlement Conference via Telephone** [Docket No. 12; Filed November 23, 2010] (the "Motion") filed by Defendant Clear Creek Consulting, Inc. ("Clear Creek"). Before turning to the Motion, the Court *sua sponte* addresses a conflict on its calendar:

IT IS HEREBY **ORDERED** that the Settlement Conference scheduled for December 7, 2010 at 1:30 p.m. is **vacated** and **RESET** for **February 17, 2011 at 1:30 p.m.** in Courtroom **C-204** of the Byron G. Rogers United States Courthouse. 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 all terms or pay all amounts which are demanded or sought by any opposing party in the case without consulting with some other person, committee, or agency. No party shall be permitted to participate in the Settlement Conference by telephone, unless that party has obtained leave of the Court following the filing of an appropriate motion no later than five (5) business days prior to the date of the Settlement Conference.

IT IS FURTHER **ORDERED** that the parties shall submit their Confidential Settlement Statements no later than **February 11, 2011**. **The parties shall follow Magistrate Judge Mix's Instructions for Preparation of Confidential Settlement Statements [Docket No. 7-1]**. Parties participating in the District of Colorado Electronic

Case Filing (“ECF”) system shall submit ONLY their Confidential Settlement Statements in PDF format via email to Mix\_Chambers@cod.uscourts.gov. All additional settlement materials (e.g., deposition transcripts or exhibits) are to be submitted to the Court as hard copies. Additional settlement materials shall be delivered to the Clerk of the Court or mailed directly to Magistrate Judge Mix in an envelope marked “Confidential and Private per Order of Magistrate Judge Mix.” Parties not participating in ECF shall submit their Confidential Settlement Statements and any additional materials to the Court as hard copies by either means described above.

IT IS FURTHER **ORDERED** that **no party or attorney shall plan to leave the Settlement Conference before 5:30 p.m.** without first obtaining express permission from the Court. Any party or attorney who schedules travel which requires departure from the Settlement Conference before 5:30 p.m. **WILL BE REQUIRED TO MAKE ALTERNATIVE PLANS** if the case has not settled by the departure time.

Turning to Clear Creek’s Motion [#12], IT IS FURTHER **ORDERED** that the Motion is **GRANTED**. Ms. Diane DiFranco, an adjuster for the Hartford Insurance Company, shall contact the Court via telephone at **303-335-2770** to participate in the Settlement Conference on **February 17, 2011 at 1:30 p.m.**

The parties are reminded that Courtroom **C-204** is located on the second floor of the Byron G. Rogers United States Courthouse, 1929 Stout Street, Denver, Colorado 80294. The parties are reminded that anyone seeking entry into the Byron G. Rogers United States Courthouse will be required to show valid photo identification. See D.C.COLO.LCivR 83.2B.

Dated: November 24, 2010