

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA
TALLAHASSEE DIVISION**

LEONARD SCOVENS,

Plaintiff,

vs.

CASE NO. 4:04CV383-SPM/AK

SGT. M. STEPHENS,

Defendant.

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ORDER

The parties have filed a Joint Status Report requesting additional discovery and that a settlement conference be scheduled in mid-November. (Doc. 52). After consulting with the District Judge, the undersigned will hereby extend discovery through **November 6, 2009.**

Prior to the settlement conference, the parties are to prepare confidential mediation memoranda, clearly designated as such. The mediation memoranda shall not be exchanged or filed in the court record, will be viewed only by the undersigned, and will be destroyed upon completion of the mediation.

The parties shall submit their memoranda directly to the undersigned at the following address:

Magistrate Judge Allan Kornblum
401 SE 1st Avenue
Suite 383
Gainesville, FL 32601-0383

The confidential mediation memoranda, which shall not exceed five pages, shall include the following:

- 1) A concise summary of the facts you intend to prove at trial;
- 2) A list of the documents which support those facts and a brief description of each document;
- 3) A list of witnesses you intend to call at trial, a brief description of each witness' proposed testimony, and a designation of each witness as a fact, liability, expert, damages, and/or impeachment witness;
- 4) A candid appraisal of the strengths and weaknesses of your case;
- 5) A realistic settlement figure;
- 6) An estimate of the costs, attorney's fees, and expenses incurred to date and a good faith estimate of those matters through trial and the appellate process if this case is not settled.

Though some of this information may be duplicative of information which the parties have already exchanged or filed, synthesizing these matters for the Court's consideration will greatly aid in its appreciation of the parties' respective positions in this litigation.

The deadline for submitting the memoranda is **November 13, 2009**. The mediation will follow on **November 18, 2009**, at **10:00 a.m.**, in Gainesville, Florida, at the above referenced mailing address. The parties shall gather in the Magistrate Judge's Courtroom on the Third Floor.

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Finally, no statement, oral or written, made by any party to the Court or to counsel opposite during the course of this mediation shall be admissible or used in any fashion in the trial of the case or any related case.

DONE AND ORDERED this 18th day of August, 2009.

s/ A Kornblum
ALLAN KORNBLUM
UNITED STATES MAGISTRATE JUDGE