

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

JOHN DOE 4,)	
)	
Plaintiff,)	
)	
v.)	Case No. 3:14-cv-674-NJR-DGW
)	
FREEBURG COMMUNITY))	
CONSOLIDATED SCHOOL DISTRICT NO))	
70, et al.,)	
)	
Defendants.)	

ORDER

WILKERSON, Magistrate Judge:

Now pending before the Court is the motion to continue settlement conference filed by Defendants on October 13, 2017 (Doc. 98). The Motion is **GRANTED**.

This matter was set for a settlement conference in which the parties and their attorneys were to appear along with Defendants’ insurance companies, who ultimately may be the payees of any settlement that the parties may achieve. One of these insurance companies, RSUI Indemnity Company, recently received an adverse ruling from the St. Clair County Circuit Court: Judge Stephen R. Rice found that it had a duty to defend Defendants in this suit.¹ As such, RSUI is an integral party for settlement purposes. So too are AIG/Lexington Insurance Company, which provides excess insurance, and County Mutual Insurance Company, which may also be found to have a duty to defend and/or indemnify. Without the presence of representatives with settlement authority from these insurance companies, a settlement conference would be futile.

Settlement conferences are mandatory in this District. *See Local Rule 16.3*. In order to permit AIG the opportunity to evaluate Plaintiff’s claim in light of the recent state court ruling, the

¹ Judge Rice did not address whether RSUI had a concomitant duty to indemnify.

settlement conference is **CONTINUED** to **November 15, 2017 at 9:00 a.m.** in the East St. Louis, Illinois Federal Courthouse before the undersigned. In order to ensure that the settlement conference is fruitful, a representative with full settlement authority from each of Defendants' insurance companies shall be present. The failure to appear shall result in monetary sanctions and any other sanctions that may be appropriate.

To that end, the Clerk of Court is **DIRECTED** to mail this Order to each of those insurance companies at the addresses set forth below. Defendants shall also mail to the general counsel of each of their insurance companies a copy of this Order to ensure the attendance of an appropriate representative by October 25, 2017 (and file a notice of same with the Court).

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IT IS SO ORDERED

DATED: October 18, 2017



DONALD G. WILKERSON
United States Magistrate Judge