

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TRACIE KENNEDY,

Plaintiff,

Case No. 23-cv-11614

Hon. Matthew F. Leitman

v.

WAL-MART STORES, EAST, LP,
and SPRINGWISE FACILITY
MANAGEMENT, INC.,

Defendants.

**ORDER REQUIRING PERSONAL
APPEARANCE AT SETTLEMENT CONFERENCE**

On July 19, 2024, at 9:30 a.m., the Court will hold a joint settlement conference and motion hearing on (1) Plaintiff Tracie Kennedy's motion to dismiss Defendant Springwise Facility Management Inc. (ECF No. 23) and (2) Springwise's motion to file a Third-Party Complaint (ECF No. 27). The Court **ORDERS** the **personal appearance** of the following people at the settlement conference and motion hearing:

- Plaintiff Kennedy and Kennedy's counsel;
- Defendant Wal-Mart Stores, East, LP's counsel and Farm Bureau insurance adjuster Laverne Winczer; and
- Springwise's counsel and a representative from Springwise with full settlement authority.

By no later than **July 12, 2024**, each party shall submit a confidential Settlement Statement to the Court. The Settlement Statement is for the Court's exclusive use in preparing for and conducting the settlement conference. Do not file, docket, or serve this statement. Instead, it should be sent by email to the Court's Case Manager (Holly_Ryan@mied.uscourts.gov).

The Settlement Statement shall (1) recite the key facts and law, (2) discuss the strengths and weaknesses of each party's case, (3) discuss the parties' position on settlement, (4) detail litigation expenses to date and going forward through trial; and (5) describe the settlement efforts to date. The Settlement Statement shall not exceed seven (7) pages. The parties are directed to be candid in their Settlement Statements and to provide the Court with sufficient detail to analyze the critical factual and legal issues in the case. The parties shall also exchange settlement demands prior to the settlement conference.

Finally, as discussed on the record during the status conference that the Court held on June 3, 2024, if Springwise and Farm Bureau resolve their dispute, the Court will cancel the motion hearing and settlement conference and proceed with the alternative plan to remand this action to the Macomb County Circuit Court.

IT IS SO ORDERED.

Dated: June 3, 2024

s/Matthew F. Leitman
MATTHEW F. LEITMAN
UNITED STATES DISTRICT JUDGE

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on June 3, 2024, by electronic means and/or ordinary mail.

s/Holly A. Ryan
Case Manager
(313) 234-5126