

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

RICHARD M. CHUDACOFF, M.D.,
Plaintiff,
vs.
UNIVERSITY MEDICAL CENTER OF
OF SOUTHERN NEVADA, etc., *et al.*,
Defendant,

2:08-CV-863-ECR-RJJ

ORDER

This matter came before the Court on November 17, 2011, for a settlement conference. Plaintiff, Richard Chudacoff, MD, was present and represented by Jacob L. Hafter, Esq. and Michael K. Naethe, Esq. of the Law Office of Jacob Hafter & Associates. Defendant University Medical Center was represented by Lynn M. Hansen, Esq. of Jimmerson Hansen, P.C. and Heather S. Hall, Esq. Of Mandelbaum Schwartz Ellerton & McBride. Also present for Defendant UMC was George Stevens, CFO and Angela Darragh, Director of Rick Management UMC. Defendants, John Ellerton, MD; Marvin Bernstein MD; and Dale Carrison MD were present and along with Defendant Medical and Dental Staff of UMC, were represented by Kim Irene Mandelbaum, Esq. of Mandelbaum, Schwarz, Ellerton & McBride.

The parties met and conferred however no settlement was reached. Further, the Court notes that contrary to the Court's Order Scheduling Settlement Conference (#316), insurance carrier Chartis, did not have a representative present at the settlement conference held on November 17, 2011. Good cause appearing therefore,

IT IS HEREBY ORDERED that on December 7, 2011, at 8:00 AM, a representative of

1 insurance carrier, Chartis shall appear before the undersigned Magistrate Judge and show cause,
2 if any they have, why they should not be sanctioned for their failure to comply with the Court's
3 Order (#316).

4 IT IS FURTHER ORDERED that on or before December 2, 2011, Plaintiff shall file an
5 affidavit of fees and costs related to the settlement conference held on November 17, 2011.

6 IT IS FURTHER ORDERED that any response to said affidavit of fees and cost shall be
7 filed on or before December 5, 2011.

8 IT IS HEREBY ORDERED that **a second settlement conference shall immediately**
9 **follow the Show Cause hearing on Dec. 7, 2011,** and shall be held in the ADR Suite, Lloyd D.
10 George United States Courthouse, 333 Las Vegas Blvd. So., Las Vegas, Nevada.

11 All counsel of record who will be participating in the trial of this case, all parties
12 appearing pro se, if any, and **all individual parties must be present. No exceptions are made**
13 **to this requirement.**

14 IT IS FURTHER ORDERED that in the case of non-individual parties, counsel shall
15 arrange for a representative, with binding authority to settle this matter up to the full amount of
16 the claim, to be present in Court for the duration of the settlement conference. **No exceptions are**
17 **made to this requirement.**

18 IT IS FURTHER ORDERED that if either party is subject to coverage by an insurance
19 carrier, then a representative of the insurance carrier, with authority to settle this matter up to the
20 full amount of the claim, must also be present in Court for the duration of the settlement
21 conference. **No exceptions are made to this requirement.**

22 IT IS FURTHER ORDERED that the parties shall have available at the settlement
23 conference all exhibits intended for use in the trial of this case. **Settlement conference briefs**
24 **are not required by the Court.**

25 DATED this 1st day of December, 2011.

26
27 
28 ROBERT J. JOHNSTON
United States Magistrate Judge