1 UNITED STATES DISTRICT COURT 2 DISTRICT OF NEVADA 3 \* \* \* 4 GARY SHEPARD, Case No. 2:12-cv-00457-RFB-PAL 5 Plaintiff, MINUTES OF PROCEEDINGS v. 6 Dated: February 1 and 2, 2016 CHARLES HORN, et al., 7 Defendants. 8 9 **PRESENT:** THE HONORABLE PEGGY A. LEEN, United States Magistrate Judge 10 JUDICIAL ASSISTANT: Teresa Hoskin **RECORDER/TAPE** #: None 11 **COUNSEL FOR PLAINTIFF(S):** Travis Barrick COUNSEL FOR DEFENDANT(S): Jared Frost 12 13 **PROCEEDING:** Conference Call 14 February 1, 2016 15 A conference call was conducted commencing at 3:55 p.m. regarding Defendants' 16 Motion to Excuse Their Personal Appearance at the Settlement Conference (Dkt. #71). 17 Counsel for Defendants explained that he only recently read the order which required the 18 personal appearance of the individual defendants who live and work in northern Nevada. The 19 State would prefer to avoid the cost of having them fly to Las Vegas for the settlement 20 conference. Plaintiff's counsel opposed the request pointing out that the order scheduling this 21 settlement conference and requiring the personal attendance of the individuals was entered last 22 September. The court directed counsel for defendants to explore alternative means of having his 23 clients participate through video conference. The conference concluded at 4:02 p.m. 24 IT IS ORDERED that a follow up phone conference is scheduled for 4:00 p.m., 25 **February 2, 2016**. Mr. Frost shall initiate the conference call to chambers. /// 26 /// 27 28 ///

## February 2, 2016

A conference call was conducted commencing at 4:02 p.m. Counsel for Defendants reported on availability of video conference participation in Reno. The conference call concluded at 4:13 p.m.

**IT IS ORDERED** that Defendants' Motion to Excuse Their Personal Appearance at the Settlement Conference (Dkt. #71) is **GRANTED** to the extent that Defendants will not be required to travel to Las Vegas, and **DENIED** to the extent that the parties will be required to appear via video conference in Reno.

PEGGY A. LEEN

UNITED STATES MAGISTRATE JUDGE