

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

EDUTREK L.L.C.,)
)
Plaintiff,) Case No. 2:12-cv-01822-GMN-PAL
)
vs.) MINUTES OF PROCEEDINGS
)
AYS ORGANIZATION, INC., et al.,) DATED: February 10, 2014
)
Defendants.)
_____)

PRESENT: THE HONORABLE PEGGY A. LEEN, United States Magistrate Judge _____

JUDICIAL ASSISTANT: Teresa K. Hoskin RECORDER/TAPE # None _____

COUNSEL FOR PLAINTIFF: Rachel Jacques, Jonathan Hammond

COUNSEL FOR DEFENDANTS: Jason Gless

PROCEEDING: Phone Conference

The court conducted a phone conference with counsel commencing at 2:00 p.m., regarding Defendants' Request for Exception to Attendance Requirement at Settlement Conference (Dkt. #36), and Defendants' Request to Continue Settlement Conference (Dkt. #37).


The parties have been negotiating the terms of a written settlement agreement "reached in principle" since May of 2013. They have requested and received three continuances of the scheduled settlement conference ordered by the district judge representing they were likely to complete the settlement process without the additional expense of a mandatory court settlement conference within 30-45 days. The most recent request to continue is based on an emergency family medical emergency of the Defendants' representative with settlement authority.

During the telephonic conference counsel represented that they had a settlement in principle but had reached an impasse regarding two terms which required the court's assistance. The court discussed the issues with counsel and provided preliminary input on the reasonableness of the requests concerning disputed terms, instructing counsel to confer with their clients to convey the court's remarks. The court will vacate the settlement conference one final time because of the family medical emergency cited, but advised counsel that the court was inclined to require the parties to file the joint pretrial order rather than reset this matter for settlement conference a fourth time given the history of this case.

The conference concluded at 2:15 p.m.

IT IS ORDERED that:

1. Defendants' Request for Exception to Attendance Requirement at Settlement Conference (Dkt. #36) is **DENIED as moot**.
2. Defendants' Request to Continue Settlement Conference (Dkt. #37) is **GRANTED to the extent** the conference currently scheduled for February 13, 2014, at 1:30 p.m. is **VACATED**, and will not be rescheduled at this time.
3. A telephonic status check is scheduled for **February 18, 2014, at 11:30 a.m.** Counsel shall be connected to the phone conference by utilizing the Meet Me Line by dialing (702) 868-4907, Conference Code: 123456, promptly at 11:30 a.m.


PEGGY A. LEEN
UNITED STATES MAGISTRATE JUDGE