

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**

FIRST AMERICAN TITLE INSURANCE)
COMPANY,)
)
Plaintiff,)
)
vs.)
)
LORI ALLEN-COOK, et al.,)
)
Defendants.)
_____)

Case No. 2:16-cv-01272-GMN-CWH
ORDER

Presently before the court is Defendants J. Scott MacDonald and MacDonald & Associates, Ltd.’s (“M&A”) Motion for Determination of Good Faith Settlement with Request for Expedited Hearing/Order Shortening Time (ECF No. 30), filed on February 27, 2017. This matter was referred to the undersigned by the United States district judge assigned to the case for the purpose of holding a hearing and filing proposed findings and recommendations regarding the good-faith settlement determination.

The court has reviewed and considered M&A’s motion and finds that it needs additional information to evaluate the proposed settlement. By March 23, 2017, M&A must file an additional brief that contains the following items:

- A more detailed factual discussion of the underlying dispute and the parties’ roles;
- A list of the claims that were resolved through the mediation with Judge Jackie Glass (Ret.);
- A list of the remaining claims and parties;
- A status update regarding Defendant Allen-Cook’s bankruptcy case;
- A detailed discussion of the settlement and its terms, including the amount of the settlement and the parties to the settlement; and

- A more detailed discussion of the facts supporting each of the good-faith settlement determination factors, including M&A's insurance policy limits and its financial condition.

The court finds that there is good cause under Rule 5.2(e) of the Federal Rules of Civil Procedure to require redaction of confidential information regarding the settlement from the brief. To preserve the settlement's confidentiality, M&A must file one copy of the brief under seal without redaction as well as a redacted version of the brief for the public record. Finally, M&A must attach a proposed order including findings and recommendations in compliance with the procedures set forth in Local Rule 7-2(f). Upon receipt of the brief, the court will set a good-faith-settlement hearing.

IT IS SO ORDERED.

DATED: March 9, 2017



C.W. Hoffman, Jr.
United States Magistrate Judge