

1 **exception.**

2 **PREPARATION FOR SETTLEMENT CONFERENCE**

3 In preparation for the settlement conference, the attorneys for each party shall submit a
4 confidential settlement conference statement for the Court's in camera review. **If attached exhibits**
5 **are voluminous, they should be separately tabbed. Failure to do so may result in the**
6 **documents being returned with the requirement that they be properly tabbed.** The settlement
7 conference statement shall contain the following:

- 8 1. A brief statement of the nature of the action.
- 9 2. A concise summary of the evidence that supports your theory of the case, including
10 information which documents your damages claims. Please attach to your statement any documents
11 or exhibits which are relevant to key factual or legal issues, including selected pages from deposition
12 transcripts or responses to other discovery requests.
- 13 3. An analysis of the key issues involved in the litigation.
- 14 4. A discussion of the strongest points in your case, both legal and factual, and a frank
15 discussion of the weakest points as well. The Court expects you to present a candid evaluation of
16 the merits of your case.
- 17 5. A further discussion of the strongest and the weakest points in your opponent's case,
18 but only to the extent that they are more than simply the converse of the weakest and the strongest
19 points in your case.
- 20 6. The history of settlement discussion, if any, which have occurred in this case. Please
21 detail the demands and offers which have been made, and the reasons they have been rejected.
- 22 7. The settlement proposal that you believe would be fair.
- 23 8. The settlement proposal that you would honestly be willing to make in order to
24 conclude this matter and stop the expense of litigation.

25 The settlement conference statements shall be received in my chambers - Room 3099 - not
26 later than **January 25, 2018. DO NOT SERVE A COPY ON OPPOSING COUNSEL. DO**
27 **NOT DELIVER OR MAIL COPIES TO THE CLERK'S OFFICE.**

28 The purpose of the statement is to assist the undersigned Magistrate Judge in preparing for

1 and conducting the settlement conference. In order to facilitate a meaningful conference, your
2 utmost candor in responding to all of the above-listed questions is required. **The settlement**
3 **conference statement will be seen by no one except the undersigned.** If this case does not settle,
4 the settlement conference statement will not be disclosed to the judge who ultimately presides over
5 the trial. Each statement will be securely maintained in my chambers, and will be destroyed
6 following the conference.

7 DATED this 30th day of November, 2017.

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10 GEORGE FOLEY, JR.
11 United States Magistrate Judge
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