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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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STEVEN G. PINCHUK,

Plaintiff,

v.

CIT BANK, N.A.; and EQUIFAX
INFORMATION SERVICES LLC,

Defendants.

Case No. 2:16-CV-02986-RFB-EJY

ORDER

Before the Court is Plaintiff's Request to Modify Order and be Permitted to Participate Telephonically in the Court Ordered Mandatory Settlement Conference. ECF No. 125. The request seeks to excuse Plaintiff from attending a settlement conference set on January 24, 2020 for March 16, 2020. Plaintiff claims, on March 2, 2020, that travel for purposes of this settlement conference is extremely expensive and time consuming, he has already entered a vacation schedule with his employer that he has been asked not to change, and that the Coronavirus causes him concerns regarding travel.

The Court finds that only the third reason given by Plaintiff is sufficient to warrant a change in the settlement schedule. The cost and time for travel has not changed since January 24, 2020, and it is Plaintiff who chose to bring a claim in the U.S. District Court for the District of Nevada. Plaintiff's vacation schedule should have been well known long before today's date and provides no excuse for his failure to appear. However, international travel is quite challenging at this time due to the Coronavirus. This, therefore, provides a basis for the Court to change the settlement conference date.

Accordingly,

IT IS HEREBY ORDERED that Plaintiff's Request to Modify Order and be Permitted to Participate Telephonically in the Court Ordered Mandatory Settlement Conference (ECF No. 125) is DENIED.

1 IT IS FURTHER ORDERED that the settlement conference set for March 16, 2020 is
2 vacated and reset for May 29, 2020 at 9:00 a.m. All parties, including Plaintiff, **must** be present for
3 this conference. This date provides Plaintiff substantial time to notify his employer of his need to
4 travel, make travel plans, and allow for the dissipation of Coronavirus concerns.

5 IT IS FURTHER ORDERED that the parties **shall** submit settlement brief to the Court no
6 later than May 22, 2020, in accordance with the Order issued on January 24, 2020.

7 IT IS FURTHER ORDERED that if any party is not available to attend the May 29, 2020
8 settlement conference, such party **must** notify the Court no later than March 13, 2020.

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10 DATED: March 3, 2020

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14 ELAYNA J. YOUCHAK
15 UNITED STATES MAGISTRATE JUDGE
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