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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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THE BANK OF NEW YORK MELLON
AS TRUSTEE FOR THE
CERTIFICATEHOLDERS CWMBS,
INC., CHL MORTGAGE PASS-
THROUGH TRUST 2005-HYB4,
MORTGAGE PASS-THROUGH
CERTIFICATES, SERIES 2005-HYB4,

Plaintiff,

v.

SUNRISE RIDGE MASTER
HOMEOWNERS ASSOCIATION; SFR
INVESTMENTS POOL 1, LLC; AND
NEVADA ASSOCIATION SERVICES, INC.,

Defendants.

Case No. 2:17-cv-00214-JAD-EJY

**ORDER SETTING SETTLEMENT
CONFERENCE**

14 This matter was referred to the undersigned Magistrate Judge for a settlement conference.
15 (ECF No. 85). A settlement conference is set for **Tuesday, December 3, 2019**. The parties shall
16 report to Magistrate Judge Youchah's chambers in the United States Courthouse, 333 Las Vegas
17 Boulevard South, Las Vegas, Nevada, at **9:00 a.m.**

18 Unless the court orders otherwise, the following individual(s) must be present in person for
19 the duration of the settlement conference:

- 20 1. An attorney of record who will be participating in the trial and who has full authority
21 to settle this case;
- 22 2. All parties appearing pro se;
- 23 3. All individual parties;
- 24 4. In the case of non-individual parties, an officer or representative with binding
25 authority to settle this matter up to the full amount of the claim or last demand made; and
- 26 5. If any party is subject to coverage by an insurance carrier, then a representative of the
27 insurance carrier with authority to settle this matter up to the full amount of the claim or last demand.
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1 **PREPARATION FOR SETTLEMENT CONFERENCE**

2 In preparation for the settlement conference, each party must submit a confidential settlement
3 conference statement for in camera review. The statement must contain the following:

4 1. A brief statement of the nature of the action.

5 2. A concise summary of the evidence that supports your theory of the case, including
6 the names of individuals disclosed pursuant to Rule 26(a)(1)(A)(i), the Rule 26(a)(1)(A)(iii)
7 computation of damages, and the Rule 26(a)(1)(A)(iv) insurance information. Each party must
8 provide all information that documents or supports your damages claims. Copies of medical records
9 or treatment records need not be submitted; however, these must be provided in a table or summary
10 format.

11 3. Attach to the statements submitted any documents or exhibits that are relevant to key
12 factual or legal issues, including selected pages from deposition transcripts or responses to other
13 discovery requests.

14 4. Provide an analysis of the key issues involved in the litigation. The analysis must
15 include a discussion of the strongest points in your case, both legal and factual, and a frank discussion
16 of the weakest points as well. The Court expects the parties to present a thorough analysis of the
17 key issues and candid evaluation of the merits of your case.

18 5. Identify and explain any obstacles to settlement, e.g. medical liens, statutory caps, or
19 motions pending before the court.

20 6. Provide the history of settlement discussions, if any, which have occurred in this case.
21 Provide any demands, offers, or offers of judgment that have been made and, if applicable, the
22 reasons they have been rejected. Attach a copy of all settlement correspondence, including all
23 written demands or offers and responses to the offers.

24 7. Provide the initial settlement proposal that will be presented at the settlement
25 conference with a justification for any monetary amount. The proposal must include any non-
26 monetary settlement terms that will be presented.

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8. The parties are encouraged, but not required, to exchange non-confidential portions of the settlement conference statements before the scheduled conference. The Court has found the exchange of statements beneficial for purposes of settlement discussion.

The settlement conference statements must be delivered to chambers by **4:00 p.m. on Tuesday, November 26, 2019**. Do not serve a copy on opposing counsel. Do not deliver or mail copies to the clerk's office.

The purpose of the statement is to assist the undersigned Magistrate Judge in preparing for and conducting the settlement conference. To facilitate a meaningful conference, your utmost candor in responding to all of the above-listed questions is required. The settlement conference statement will remain confidential. If this case does not settle, the settlement conference statement will not be disclosed to the Judge who will preside over the trial. Each statement will be securely maintained in my chambers and will be destroyed following the conference.

Failure to comply with the requirements set forth in this order will subject the non-compliant party to sanctions under Federal Rule of Civil Procedure 16(f).

DATED: September 5, 2019



ELAYNA J. YOUCHAK
UNITED STATES MAGISTRATE JUDGE