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1 UNITED STATES DISTRICT COURT 2 DISTRICT OF NEVADA 3 4 EMMANUEL CHEATHAM, Case No. 2:23-cv-00475-GMN-EJY 5 Plaintiff, ORDER SETTING SETTLEMENT 6 **CONFERENCE** v. 7 JONES, et al., 8 Defendants. 9 10 This matter has been referred to the undersigned Magistrate Judge for a settlement 11 conference. ECF No. 57. A settlement conference is set for March 14, 2025 at 9:00 a.m., by Zoom 12 video conference before the undersigned Magistrate Judge. 13 Plaintiff, who is in custody at Three Lake Valley Conservation Camp, must appear and 14 participate in the settlement conference through video conferencing. 15 Nathan M. Claus of the Nevada Attorney General's Office, Counsel for Defendants Dawn 16 Jones, Michell Perkins, and William Reubart, along with these Defendants must all be present by 17 the Zoom video conference platform. 18 The Attorney General's Office must make the necessary arrangements for Plaintiff to appear 19 by video conference and email Jeff Miller, Courtroom Deputy, at Jeff Miller @nvd.uscourts.gov, 20 by 12:00 p.m. on March 11, 2025, and provide the email addresses for their respective participants, 21 including one for Plaintiff. Mr. Miller will then email all participants, other than Mr. Cheatham, a 22 Zoom link. 23 PREPARATION FOR SETTLEMENT CONFERENCE 24 In preparation for the settlement conference, each party must submit a confidential settlement 25 conference statement for in camera review. The confidential settlement conference statement, with exhibits, generally not to exceed 50 pages, must be delivered electronically to 26 27 Emily Santiago@nvd.uscourts.gov by 3:00 p.m. on March 7, 2025.

Plaintiff's confidential settlement conference statement is limited to no more than a total of 10 pages, including exhibits, and must be mailed, in an envelope marked "Confidential," to:

Chambers of U.S. Magistrate Judge Elayna J. Youchah, Lloyd D. George United States Courthouse Suite 4068 333 Las Vegas Blvd., South, Las Vegas, Nevada 89101

Plaintiff must mail his confidential settlement conference brief **no later than Monday, February 24, 2025.** Do NOT send a copy of your brief to opposing counsel.

Defendants' confidential settlement conference statement must be delivered electronically to **Emily_Santiago@nvd.uscourts.gov** by 3:00 p.m. on March 7, 2025. Do NOT serve a copy of your brief on Plaintiff.

The confidential evaluation statement must be presented on pleading paper (numbered consecutively beginning with 1 on the left margin of each page with no more than 28 lines per page) and contain the attorney or pro se party's name and address, court title, and case caption. In addition, the confidential evaluation statement must contain the following:

- 1. A brief statement of the nature of the claims and defenses;
- 2. A concise summary of the evidence that supports your theory of the case, including key individuals who will provide testimony if this matter goes to trial, the Rule 26(a)(1)(A)(iii) computation of damages, and the Rule 26(a)(1)(A)(iv) insurance information. Each party must provide all information that documents or supports your damages claims. Copies of medical records or treatment records need not be submitted; however, these may be provided in a table or summary format;
- 3. Any documents or exhibits that are relevant to key factual or legal issues, including selected pages from deposition transcripts or responses to other discovery requests. Please do not provide entire deposition transcripts or audio/video recordings;
- 4. An analysis of the key issues involved in the litigation. The analysis must include a discussion of the strongest points in your case, both legal and factual, and a frank discussion of the weakest points as well. The Court expects the parties to present a thorough analysis of the key issues and candid evaluation of the merits of your case;

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- 5. Identification and explanation of any obstacles to settlement such as medical liens, statutory caps, or motions pending before the court;
- 6. The history of settlement discussions, if any, which have occurred in this case. Provide any demands, offers or offers of judgment that have been made and, if applicable, the reasons they have been rejected; and
- 7. The initial settlement proposal that will be presented at the settlement conference with a justification for any monetary amount. The proposal must include any non-monetary settlement terms that will be presented.

Do not serve a copy of your confidential settlement briefs on opposing counsel. Do not deliver or mail a copy to the clerk's office.

The purpose of the settlement conference 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 topics is required. The settlement conference is confidential. If this case does not settle, the confidential settlement briefs will not be disclosed to the district judge who will preside over the trial. Each brief will be securely maintained in 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 this 6th day of January, 2025.

ELAYNAJ. YOUCHAH

UNITED STATES MAGISTRATE JUDGE