

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
5:10-CV-241-D

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 v.)
)
 ERIC O. JONES and DONALD JACOB)
 SCHILLER,)
)
 Defendants.)

ORDER

This case is before the court on the motion (D.E. 62) by plaintiff (“the government”) to excuse certain individuals from in-person attendance at the court-hosted settlement conference scheduled for 12 November 2014 (*see* D.E. 61). According to the motion, the sole remaining defendant, Donald Jacob Schiller, Sr. (“defendant”), purportedly opposes the motion though no opposition to it has been filed.

After consideration of the government’s motion in light of the objective of having a productive conference, the court excuses Department of Justice (“DOJ”) officials with authority to approve a settlement¹ from in-person attendance at the 12 November 2014 settlement conference, but directs that they be available by telephone during the conference. Civil Chief Rudy Renfer of the United States Attorney’s Office is excused from in-person attendance, but shall be available by telephone during the conference and shall also be available to join the conference in person should the court so direct. It is the undersigned’s experience in cases similar to this one that the foregoing arrangements do not impair the effectiveness of a settlement conference. The court does not believe that such arrangements will impede the settlement


¹ This Order applies specifically to DOJ Acting Assistant Attorney General for the Civil Division, Joyce Branda; Assistant Branch Director of the Civil Division, Arthur Goldberg; and the DOJ trial attorney assigned to this matter, Kristina Wolfe.

conference on 12 November 2014 in this case. Nevertheless, nothing in this Order shall be deemed to limit the court's discretion with respect to arrangements for any other settlement conference sessions in this case.

Except as provided herein, the persons required by Local Civil Rule 101.2(d)(1), E.D.N.C. to attend the settlement conference on 12 November 2014 in person shall do so. The exclusions from the in-person attendance requirement provided for herein apply only to the 12 November 2014 settlement conference and not any future settlement conference sessions in this case.

For the foregoing reasons, the government's motion (D.E. 62) is ALLOWED on the terms set forth above.

SO ORDERED, this the 10 day of November 2014.


James E. Gates
United States Magistrate Judge