

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
NORTHWESTERN DIVISION**

Frankie Kartch and Kristin Kartch,)
)
Plaintiffs,)
)
vs.)
)
EOG Resources, Inc., a foreign corporation,)
)
Defendant.)

**ORDER SCHEDULING SETTLEMENT
CONFERENCE**

Case No. 4:10-cv-014

IT IS ORDERED:

A settlement conference will be held before the magistrate judge on April 3, 2012, at 10:00 a.m. CDT at the U.S. Courthouse located in Bismarck, North Dakota (courtroom #2).

The conference shall be attended by all parties, together with trial counsel (if they are represented) for each party. An insured party need not attend unless the settlement decision will be made in part by the insured. When the settlement decision will be made in whole or in part by an insurer, the insurer shall send a representative. The persons attending shall be vested with the necessary settlement authority. Any relief from these requirements must be obtained in advance. Failure to produce the appropriate person(s) at the conference may result in an award of costs and attorney fees incurred by the other parties in connection with the conference and/or other sanctions against the noncomplying party and/or counsel.

Each party may, but is not required, to submit a confidential settlement statement to the Court no later than two days prior to the final settlement conference. The settlement statement shall

not become a part of the file of the case, but shall be for the exclusive use of the Court in preparing for and conducting the settlement conference.

Settlement statements should be sent to the court via fax (701-530-2325), e-mail (ndd_J-Miller@ndd.uscourts.gov), or mail (P.O. Box 670, Bismarck, North Dakota 58502-0670) at least two (2) days prior to the settlement conference. The settlement statement shall not be filed with the Clerk's office. Copies of the settlement statement shall not be provided to the other parties in the case.

Counsel are directed to confer with their clients in advance of the conference to explore the parties' settlement positions, and the parties are encouraged to exchange settlement proposals prior to the conference. These steps will enable the conference to progress more expeditiously.

Dated this 19th day of March, 2012.

/s/ Charles S. Miller, Jr.
Charles S. Miller, Jr.
United States Magistrate Judge