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

Michael Keplin,)	
)	
Plaintiff,)	ORDER SCHEDULING SETTLEMENT
)	CONFERENCE
vs.)	
)	
)	Case No. 4:11-cv-056
United States of America, Jon Doe I-X)	
and Jane Doe I-X,)	
)	
Defendant.)	

IT IS ORDERED:

A settlement conference will be held before the magistrate judge on March 6, 2012, at 9:00 a.m. in Belcourt, North Dakota.¹

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.

¹The court shall coordinate with the parties to locate a suitable facility in Belcourt to conduct the settlement conference.

Each party shall 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.

The settlement statement shall contain a specific recitation of the facts, a discussion of the

strengths and weaknesses of the case, the parties' positions on settlement, including a present settlement

proposal, and a report on settlement efforts to date. If not already part of the court file, copies of any

critical agreements, business records, photographs or other documents or exhibits shall be attached to

the settlement statement. The settlement statement should not be lengthy, but should contain enough

information to be useful to the Court in analyzing the factual and legal issues in the case. The parties

are directed to be candid in their statements.

The parties shall submit their settlement statement 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 18th day of October, 2011.

/s/ Charles S. Miller, Jr.

Charles S. Miller, Jr.

United States Magistrate Judge

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