

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

BRET ADAMS,
Plaintiff,

v.

**Case No. 2:13-CV-894
Magistrate Judge Norah McCann King**

GEORGE KARL,
Defendant.

ORDER

This case was previously set for an in-person mediation conference before the Court on April 29, 2014. Doc. 36. The parties have indicated that not all of the principals would be able to attend the conference that day because of prior scheduling commitments. Accordingly, the Court **VACATES** the prior mediation conference date; and, based on the representation of the parties, now **ORDERS** that the in-person mediation conference in this case is re-set to **Wednesday, May 14, at 9:00 a.m.** The Court also **ORDERS** that counsel and the parties shall adhere to the following with respect to the mediation conference:

1. The trial attorney for each party must attend the conference;
2. The parties (or principals with settlement authority) shall be personally present—this still includes newly added Defendants Van Deraa and Kissee;¹
3. Lack of discovery or settlement authority will not excuse active participation in the conference;
4. No later than fourteen (14) days before the conference, each plaintiff must submit to counsel for all opposing parties a fully documented, written settlement demand;
5. No later than ten (10) days before the conference, each opposing party must respond, in writing, to each settlement demand fully documenting that party's position; and

¹ The Court again notes that Defendant Van Deraa's and Defendant Kissee's appearance at the settlement conference does not waive any objection to personal jurisdiction.

6. No later than seven (7) days before the conference, each party shall submit directly and only to Chambers a letter (Confidential Assessment), not to exceed three pages, with the following: (a) an explanation of the party's theory of the case; (b) the party's position on settlement (in monetary terms, if applicable); and (c) an explanation of all conditions necessary to achieve settlement (including non-monetary terms). The parties may submit their respective Confidential Assessments to Chambers via an e-mail directed to Sargus_Chambers@ohsd.uscourts.gov.

IT IS SO ORDERED.

4-9-2014

DATED


EDMUND A. SARGUS, JR.
UNITED STATES DISTRICT JUDGE