UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

LILA JESSIKA PETKER, Plaintiff, v. UNITED STATES OF AMERICA, Defendant.	No. 2:23-cv-00317 JAM CKD ORDER

A settlement conference has previously been set before Magistrate Judge Allison Claire for February 27, 2024, at 9:00 a.m. ECF No. 16. This order CONFIRMS the date and time for the settlement conference and SUPERSEDES the previously-issued minute order as to the matters addressed herein.

The court expects that the parties will proceed with the settlement conference in good faith and attempt to resolve all or part of the case. Unless otherwise specifically authorized by the court in advance of the settlement conference, the following individuals must participate in the settlement conference: (1) all of the attorney(s) who will try the case; (2) the parties; and (3) individuals with full authority to negotiate and settle the case, on any terms.

No later than February 13, 2024, each party must submit to Judge Claire's chambers at acorders@caed.uscourts.gov a confidential settlement conference statement. These statements should not be filed on the docket; however, each party shall e-file a one-page document entitled

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

Notice of Submission of Confidential Settlement Conference Statement. The statements should be marked "CONFIDENTIAL" and should state the date and time of the conference.

While brevity is appreciated, each statement must include:

(1) a brief recitation of the facts;

(2) a discussion of the strengths and weaknesses of the case, from your party's perspective;

(3) an itemized estimate of your party's expected costs for further discovery, pretrial, and trial matters, in specific dollar terms;

(4) your best estimate of the probability that plaintiff will obtain a finding of liability should this case proceed to trial, in percentage terms;

(5) should this case proceed to trial and defendant be found liable, please provide the following, in specific dollar terms:

(a) a realistic high-end recovery estimate (i.e., realistic best- or worst-case scenario)

(b) a realistic low-end recovery estimate (i.e., realistic worst- or best-case scenario), and

(c) a best estimate of the most likely outcome;

(6) a history of settlement discussions, including:

(a) a statement of your expectations for settlement discussions;

(b) a listing of any past and present settlement offers from any party (including all terms);

(c) whether your party would consider making the opening offer or demand, and what that offer might be;

(7) a list of the individuals who will be participating in the settlement conference on your party's behalf, including each participant's name and, if appropriate, title;

(8) identification of any related cases or of any other cases that the parties might wish to discuss at this settlement conference; and

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(9) a completed worksheet (blank version attached) highlighting your responses to certain of the above questions.

Judge Claire will hold a short, pre-settlement conference via Zoom on February 20, 2024 at 10:00. Only the lead attorney from each side[1] should participate. At Judge Claire's discretion, the joint discussion may be followed by private discussions between the judge and each party. Zoom login information will be provided in advance of February 20, 2024.

In accordance with the above, it is hereby ORDERED that:

1. A pre-settlement conference is set before Magistrate Judge Claire on February 20, 2024 at 10:00 a.m.

2. The settlement conference set before Magistrate Judge Claire on February 27, 2024, at 9:00 a.m. is hereby CONFIRMED.

3. No later than February 13, 2024, each party must submit a confidential settlement conference statement, as described above, to Magistrate Judge Claire.

DATED: January 18, 2024

Allison Claire

ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE

[1] The court expects that the attorneys participating in the telephone discussion will also participate in the settlement conference.

Pre-Settlement Worksheet

	Please fill in each value below
Additional cost to your party expected for . . . discovery	$
. . . pretrial	$
. . . trial	$
Estimated probability of liability finding	%
Realistic high-end estimate of recovery by P	$
Realistic low-end estimate of recovery by P	$
Best estimate of recovery by P	$
Last offer/demand (if any) previously made by your party	$
Last offer/demand (if any) previously made by opposing party	$
Proposed next offer/demand by your party	$