

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION**

Plaintiff,)	
)	
v.)	CAUSE NO.:
)	
Defendant.)	

ORDER FOR SETTLEMENT CONFERENCE

A Settlement Conference in this case is now scheduled in this matter for ***** (Chicago/Hammond time) at the **Federal Building, 5400 Federal Plaza, Hammond Indiana; Magistrate Courtroom #5, Third Floor**. This Settlement Conference represents a final effort to achieve a settlement of all issues in the case. It is assumed that by the time of the scheduled Conference, the parties will have made a concerted effort to settle this case on their own but have been unable to do so.

If no settlement is reached during the Court's Conference, it is expected that no settlement will be possible in the future and that the case can proceed to trial. The Conference will be conducted in such a manner as not to prejudice any party in the event settlement is not reached.

Unless excused by the Court in advance, all individual parties and/or chief corporate officers as well as lead trial counsel for the parties and those persons possessing final settlement authority for or on behalf of the parties shall **personally appear and remain present throughout the Settlement Conference**. It should not be necessary for persons attending the Conference to confer or consult with any persons who are not attending the Conference before making, accepting or rejecting a settlement offer. **Any failure of the lead counsel, parties or persons with final**

authority to attend the Conference may result in an order to pay the fees and costs expended by the other parties in preparing for and attending the Conference.

No later than (48) hours in advance of the conference, each party shall provide the court with a Confidential Settlement Memorandum. Under no circumstances will Settlement Memoranda be disclosed to opposing counsel. The following information shall be included in the Memorandum:

1. A brief statement of the facts of the case, and of the claims and defenses, i.e., the statutory or other grounds upon which the claims are founded. This statement should identify the major factual and legal issues in dispute.

2. If any part of the pending action is based upon a written instrument, a copy of the relevant portions of any such instrument should be attached.

3. An itemized statement or breakdown of the damages claimed, and of any other relief sought.

4. An estimate as to the total length of trial.

5. Whether any recovery by the Plaintiff(s) would be subject to any lien and, if so, the source, nature and amount of any such lien.

6. A summary of settlement negotiations to date.

7. A good faith estimate of your client's range of settlement. This figure is for the Court's own consideration and will not be disclosed to opposing counsel.

8. Any other matter which you feel the Court should be made aware of prior to the commencement of the conference.

The Memorandum should be faxed (219-852-6713) to Magistrate Judge Paul R. Cherry, and be marked CONFIDENTIAL on the cover sheet.

SO ORDERED this ** day of *****, *****.**

s/Paul R. Cherry
MAGISTRATE JUDGE PAUL R. CHERRY
UNITED STATES DISTRICT COURT

cc: All Counsel