

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

XXXXXX,

Plaintiff,

v.

Case No. XX-XXXXX
Honorable Linda V. Parker

XXXXXX,

Defendant.

_____ /

SETTLEMENT CONFERENCE NOTICE

YOU ARE NOTIFIED TO APPEAR ON _____ for a Settlement Conference to be held at the U.S. District Court, 231 W. Lafayette Blvd., Chambers 619, Detroit, MI 48226.

I. Offers

The parties must exchange settlement offers, in writing, prior to the Settlement Conference, and discuss them prior to the conference.

II. Attendance

The following persons, where applicable, shall personally attend the Settlement Conference:

1. Trial counsel for each party;
2. All parties who are natural persons;
3. A representative on behalf of any other party;
4. A representative of any insurance carrier that has undertaken the prosecution or defense of the case and has contractually reserved to itself the ability to settle the action

Representatives must possess full authority to engage in settlement discussions, and agree upon a full and final settlement. "Personal attendance" by each party is not satisfied by (1) trial counsel professing to have full authority on behalf of the client, or (2) a party being available by telephone.

Note: SANCTIONS WILL BE IMPOSED IF THE PARTY WITH FULL SETTLEMENT AUTHORITY FAILS TO APPEAR

III. Ex Parte Pre-Conference Submission

At least FIVE (5) DAYS prior to the conference, each side must provide the Court a summary, no more than three (3) pages in length, double-spaced, containing the following information:

1. Statement of claims and/or defenses;
2. Applicable law and burdens of proof, and any difficulties you foresee in meeting your burden;
3. How you would present this case if you were on the opposing side. **Note:** It is important that you present this section objectively. **Do not** resort to becoming an advocate on behalf of your client here;
4. Statement of Damages. For the Plaintiff, how you intend to prove them; for the Defendant, how you intend to meet Plaintiff's claim for damages;
5. Underlying documents (e.g., the insurance policy or contract at issue);
6. An estimation of costs and attorney fees, if this matter proceeds to trial; and
7. An honest evaluation by Plaintiff's counsel of what your client will settle for. An honest evaluation by Defendant's counsel of what your client will pay. **Note:** The parties are urged to state serious evaluations. Remember, the figures provided are for the Court only and will not be shared with the other side.

Please deliver one copy directly to chambers.

DO NOT FILE THE SUMMARY WITH THE CLERK OF THE COURT; DO NOT SERVE THE SUMMARY ON OPPOSING COUNSEL.

IF IT APPEARS FROM THE PARTIES' SUBMISSIONS THAT ATTEMPTS AT SETTLEMENT WILL BE FUTILE, THE COURT WILL CANCEL THE SETTLEMENT CONFERENCE.

Dated:

s/Linda V. Parker
UNITED STATES DISTRICT JUDGE