

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No. 08-80736-Civ-Marra/Matthewman

JANE DOE 1 and JANE DOE 2,

Petitioners,

vs.

UNITED STATES OF AMERICA,

Respondent.

ORDER SCHEDULING SETTLEMENT CONFERENCE
BEFORE U.S. MAGISTRATE JUDGE

THIS CAUSE is before the Court on referral by the presiding U.S. District Judge for the undersigned to conduct a settlement conference (DE 374). Having held a status conference on the matter and being otherwise fully advised, the Court ORDERS as follows:

1. Conference Date: A settlement conference shall be held as follows:

BEFORE: U.S. Magistrate Judge Dave Lee Brannon
DATE: Monday, May 23, 2016
TIME: 9:30 A.M.
PLACE: U.S. Courthouse
701 Clematis Street
West Palm Beach, FL 33401
4th Floor, Courtroom 3

2. Mandatory Attendance: Parties and their lead counsel must personally appear at the conference. An individual with full and complete authority to negotiate and finalize a settlement for each party must be present. Such mandatory appearance is intended to increase the effectiveness of the conference. As such, failure to produce the appropriate person(s) or

failure to participate in good faith may result in an award of costs, attorney fees, or other appropriate sanctions.

3. Pre-Conference Settlement Efforts: Prior to the settlement conference, the parties shall negotiate and make a good faith effort to settle the case without the Court's involvement. Proposals and counter proposals shall be made. If settlement is not achieved, the parties shall be prepared to engage in further good faith negotiation at the conference.

4. Confidential Settlement Memoranda: Each party or their counsel shall email to Chambers (brannon@flsd.uscourts.gov), but not file, a candid memorandum of five pages or less with its respective views in the light most favorable to its client, as well as any proposed settlement amount(s), citation to legal authority, or additional information that will be helpful to the Court in preparing for the conference. Each memorandum shall include a specific recitation of relevant facts, a discussion of case strengths and weaknesses, and a report on the parties' pre-conference settlement efforts outlined above. If not already part of the record, copies of any critical agreements, business records, photographs, or other documents shall be attached to the memorandum. The memoranda shall be emailed on or before **5:00 P.M. EST on Monday, May 16, 2016**. Each party or their counsel shall indicate what portions of the submissions, if any, may be shared with opposing counsel at the conference. Otherwise, the information will not be shared. All party submissions pertaining to settlement will be returned to counsel after the conference.

5. Conference Format: The Court will generally use a mediation format: a joint session with opening presentations by the Court and each side followed by private caucusing by the Court with each side. The Court expects counsel and all party representatives to be fully prepared to participate.

6. Proposed Settlement Agreements: Each party's counsel shall bring to the conference a flash drive containing a proposed settlement agreement.

7. Intervenor Parties: This Order applies only to Petitioners and Respondent. As to those individuals and entities that have been permitted to intervene in this lawsuit, the Court is awaiting further legal briefing on the presence and participation of such intervenors in this settlement conference process. After receipt and review of such briefing, the Court will issue any orders it deems appropriate with regard to the intervening parties.

DONE AND ORDERED in Chambers at West Palm Beach in the Southern District of Florida, this 31st day of March, 2016.



DAVE LEE BRANNON
U.S. MAGISTRATE JUDGE