

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

APPLE, INC.,

Plaintiff,

v.

WI-LAN, INC., et al.,

Defendants

Case No.: 14cv2235-DMS (BLM)

**ORDER SETTING MANDATORY
SETTLEMENT CONFERENCE**

AND RELATED COUNTERCLAIMS.

On May 16, 2018, the Court vacated the Mandatory Settlement Conference ("MSC") scheduled for May 23, 2018. ECF No. 342. On June 7, 2018, the Court conducted an attorneys-only telephonic Case Management Conference. ECF No. 391. The case did not settle, but the parties are continuing to engage in settlement discussions. Accordingly, the Court orders the following:

1. A Mandatory Settlement Conference will be conducted on **July 3, 2018**, at **1:30 p.m.**, in the chambers of **Magistrate Judge Barbara L. Major**. Counsel shall submit updated confidential settlement statements directly to chambers no later than **June 25, 2018**. Each party's settlement statement shall set forth the party's statement of the case, identify controlling legal issues, concisely set out issues of

1 liability and damages, and shall set forth the party's settlement position, including the
2 last offer or demand made by that party, and a separate statement of the offer or
3 demand the party is prepared to make at the settlement conference. Settlement
4 conference briefs shall not be filed with the Clerk of the Court, nor shall they be served
5 on opposing counsel.

- 6 2. Pursuant to Local Civil Rule 16.3, all party representatives and claims adjusters for
7 insured defendants with full and unlimited authority to negotiate and enter into a
8 binding settlement, as well as the principal attorney(s) responsible for the litigation,
9 must be present and legally and factually prepared to discuss and resolve the case at
10 the mandatory settlement conference. Retained outside corporate counsel shall not
11 appear on behalf of a corporation as the party who has the authority to negotiate and
12 enter into a settlement. Failure to attend the conference or obtain proper excuse will
13 be considered grounds for sanctions.

14 **IT IS SO ORDERED.**

15 Dated: 6/18/2018


16 Hon. Barbara L. Major
17 United States Magistrate Judge
18
19
20
21
22
23
24
25
26
27
28