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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

**GUIDELINES FOR SETTLEMENT CONFERENCES  
BEFORE DISTRICT JUDGE LUCY H. KOH**

Unless otherwise permitted in advance by the Court, counsel shall appear at the Settlement Conference with the parties or with the person or persons having full authority to settle the case. Only in rare exceptional situations will the persons with full authority to settle be allowed to be on the telephone standby and then only with the permission of the Court. At least seven (7) court days before the Settlement Conference the parties shall lodge a Settlement Conference Statement with the Clerk's Office (Room 2112) where it will be forwarded to the Judge.

Copies of the Settlement Conference Statements shall not be served upon the other parties or counsel. The Court and its personnel will not permit other parties or counsel to have access to these statements.

The Settlement Conference Statement shall include the following:

1. A brief statement of the facts of the case.
2. A brief statement of the claims and defenses including statutory or other grounds upon which the claims and defenses are founded; a forthright evaluation of the parties'

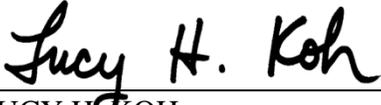
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likelihood of prevailing on the claims and defenses; and a description of the major issues in dispute.

3. A summary of the proceedings to date including rulings on motions and motions outstanding.
4. An estimate of the cost and time to be expended for further discovery, pretrial and trial.
5. A brief statement of the parties' undisputed facts and issues.
6. Any discrete issues that, if resolved, would aid in the disposition of the case.
7. The relief sought.
8. The party's position on settlement, including present demands and offers and any history of past settlement discussion, offers and demands.

**IT IS SO ORDERED.**

Dated: August 24, 2012

  
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LUCY H. KOH  
United States District Judge