

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

**SETTLEMENT CONFERENCE STANDING ORDER  
FOR MAGISTRATE JUDGE AJAY S. KRISHNAN**

*Updated February 19, 2026*

This Standing Order governs cases referred to Magistrate Judge Ajay S. Krishnan for settlement.

1. Prior to the Settlement Conference, the Court will hold at least one telephonic Scheduling Call with counsel. This meeting may be used to schedule the Settlement Conference, discuss logistics, field questions, and address any other issues raised to facilitate an effective Settlement Conference. Both Settlement Conferences and telephonic Scheduling Calls will be set by Clerk's Notice. For questions, contact Judge Krishnan's Courtroom Deputy (CRD), Kim Means, at [askcrd@cand.uscourts.gov](mailto:askcrd@cand.uscourts.gov).

2. Parties should reach out to Ms. Means at the above email address as soon as practicable after the settlement referral to request a Scheduling Call.

3. Before the Scheduling Call, lead counsel must discuss with their clients and each other: (a) the optimal time for a Settlement Conference; (b) their mutually available dates; (c) the availability of insurance; (d) individuals with settlement authority and their attendance; (e) information to be exchanged before the Settlement Conference; (f) the time needed to evaluate demands and responses; and (g) any other relevant issues.

4. Settlement Conferences will typically be held in-person, at the Oakland Federal Courthouse, 1301 Clay Street, Oakland, CA 94612.

5. Counsel shall ensure that whatever discovery is needed for all sides to evaluate the case for settlement purposes is completed by the date of the Settlement Conference. Counsel shall cooperate in providing discovery informally and expeditiously.

6. Lead trial counsel shall appear at the Settlement Conference with the parties. Any party who is not a natural person shall be represented by the person(s) with **unlimited** authority to negotiate a settlement. An insured party shall appear with a representative of the carrier with full authority to negotiate up to the limits of coverage. If a person needs to consult with an absent party before agreeing to a settlement, that person lacks the authority to negotiate a settlement.

7. Personal attendance of a party representative will rarely be excused by the Court. To seek to excuse a party from personally attending a Settlement Conference, counsel for that party shall make the request on the Scheduling Call.

8. Each party shall prepare a Settlement Conference Statement, which must be LODGED with Judge Krishnan's chambers (NOT electronically filed) no later than fourteen (14) calendar days prior to the Settlement Conference. The Settlement Conference Statement shall be submitted on pleading paper and may not exceed 20 pages (excluding supporting exhibits). Please three-hole punch the document at the left side. If a party wishes to exceed the page limit, leave must be requested during the Scheduling Call setting the Settlement Conference date.

9. Each party shall also submit their Settlement Conference Statement in .pdf format and email their statement to [asksettlement@cand.uscourts.gov](mailto:asksettlement@cand.uscourts.gov).

10. The Settlement Conference Statement shall be served on opposing counsel. Any party may submit an Additional Confidential Statement to the Court of up to 10 pages (excluding supporting exhibits), no later than eight (8) days prior to the Settlement Conference date. The Additional Confidential Statement may respond to the other party's Settlement Conference Statement or may convey information that the party wishes to convey only to the settlement

judge. The contents of this confidential statement will not be disclosed to the other parties. If a defendant plans to assert that it lacks resources and is unable to offer monetary compensation or that it otherwise does not intend to offer monetary compensation as part of a settlement, it must notify the Court of this in a confidential statement no later than seven (7) days prior to the Conference.

11. The Settlement Conference Statement shall include at least the following:
  - a. A brief statement of the facts of the case.
  - b. A brief statement of the claims and defenses including, but not limited to, statutory or other grounds upon which the claims are founded, and a candid evaluation of the parties' likelihood of prevailing on the claims and defenses; and a description of the major issues in dispute.
  - c. A summary of the proceedings to date and any pending motions.
  - d. The relief sought.
  - e. Any discrete issue that, if resolved, would facilitate the resolution of the case.
  - f. The party's position on settlement, including present demands and offers and a history of past settlement discussions.
  - g. A list of who will attend the Settlement Conference on behalf of each side, including counsel and insurance representatives.

12. Each party attending a Settlement Conference shall arrive at the Settlement Conference with an electronic version of a draft settlement term sheet that the party is prepared to share with the Court upon request. The draft term sheet may contain blanks, as appropriate. The purpose of the draft term sheet is (a) to ensure that the parties have considered all terms,

including non-monetary terms, that they will insist on, (b) to ensure that the parties have considered a form of term sheet that will be acceptable to them, and (c) to avoid wasting Settlement Conference time on drafting term sheets.

13. If this case settles prior to the date set for the Settlement Conference, the parties shall notify Chambers immediately by contacting Judge Krishnan's Courtroom Deputy (CRD), Kim Means, at [askcrd@cand.uscourts.gov](mailto:askcrd@cand.uscourts.gov).

**IT IS SO ORDERED.**

Dated: February 19, 2026

  
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AJAY KRISHNAN  
United States Magistrate Judge