

1 *[Attorney Letterhead]*

2 *(including fax no.)*

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9 SUPERIOR COURT OF CALIFORNIA

10 COUNTY OF SACRAMENTO

11
12 Case No.

13 Plaintiff(s),

MANDATORY SETTLEMENT
CONFERENCE STATEMENT OF
(PLAINTIFF/DEFENDANT, ETC
(PARTY'S NAME)

14 v.

15 Defendant(s).
_____ /

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17
18 **1. PARTIES AND COUNSEL**

19 a. Identify separately each Plaintiff and the respective attorney of
20 record.

21 b. (Plaintiffs) Also identify each outstanding lien claimant and the
22 total amount claimed by each.

23 c. Identify separately each Defendant and the respective attorney of
24 record.

25 d. (Defendants) Also identify each insurance carrier and the name of
26 the assigned adjuster or corporate representative.

1 **2. CASE STATEMENT**

2 Provide a short statement of the facts of this case.

3 **3. PLAINTIFF**

4 a. Explain your position on this case.

5 b. List all economic damages claimed in this case (for each plaintiff
6 state the nature of the past and future damages such as property damage,
7 medical expense, loss of income, etc).

8 c. List all non-economic damages claimed in this case.

9 d. Specify attorney fees, if any, that may be awarded to you.

10 e. Set forth all efforts made to negotiate all liens as required by
11 Local Rule 2.94(C)(4).

12 f. Have you requested unresolved claimants and lienholders to attend
13 the settlement conference as required by Local Rule 2.94(C)(4)? If so,
14 please attach a copy of the correspondence so requesting. If not, why not?

15 g. Is a claim for punitive damages made? If so, what is the basis of
16 such claim?

17 **4. DEFENDANT**

18 a. Explain your position on this case.

19 b. Specify attorney fees, if any, that may be awarded to you.

20 c. Are there any medical payment reimbursement issues? If so, please
21 explain.

22 d. Do you anticipate any claim for post-trial reduction of special
23 damages? If so, please explain.

24 **5. LEGAL ISSUES**

25 Identify major disputed legal issues.

26 **6. FACTUAL ISSUES**

27 Identify major disputed factual issues.

28

1 **7. OFFERS**

2 a. Specify all 998 offers made and the dates thereof.

3 b. What is the last best offer to settle made by each party?

4 Plaintiff(s):

5 Defendant(s):

6 Other(s):

7 **8. SETTLEMENT EFFORTS**

8 State what efforts have been made to settle.

9 **9. ARBITRATION**

10 a. State the date, name of arbitrator, and decision.

11 b. State whether you expect a jury verdict to be different.

12 c. State, in detail, why you expect a jury verdict to differ from
13 the arbitrator's award.

14 **10. LENGTH OF TRIAL**

15 a. Please state the anticipated length of trial.

16 b. Please state the number of non-expert witnesses that you intend
17 to call.

18 c. Please state the number of experts that you intend to call,
19 specifying the number of retained experts and the number of non-retained
20 experts.

21 **11. INSURANCE CARRIERS** (to be answered by defendants and cross
22 defendants only).

23 a. Please list all primary and excess carriers to which a defense
24 tender has been made and whether or not such demand(s) has (have) been
25 accepted.

26 b. Is there any pending reservation of rights? If so, please
27 explain.

