

1 *[Attorney Letterhead]*
2 *(including fax no.)*

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9 SUPERIOR COURT OF CALIFORNIA
10 COUNTY OF SACRAMENTO

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13 Case No.

14
15 v. Plaintiff(s),
16 Defendant(s).

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

17 _____/
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19 1. PARTIES AND COUNSEL

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

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

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

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

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2. **CASE STATEMENT**

Provide a short statement of the facts of this case.

3. **PLAINTIFF**

a. Explain your position on this case.

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

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

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

e. Set forth all efforts made to negotiate all liens as required by Local Rule 4.01C(4).

f. Have you requested unresolved claimants and lienholders to attend the settlement conference as required by Local Rule 4.01C(4)? If so, please attach a copy of the correspondence so requesting. If not, why not?

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

4. **DEFENDANT**

a. Explain your position on this case.

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

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

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

3 5. **LEGAL ISSUES**

4 Identify major disputed legal issues.

5 6. **FACTUAL ISSUES**

6 Identify major disputed factual issues.

7 7. **OFFERS**

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

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

11 Plaintiff(s):

12 Defendant(s):

13 Other(s):

14 8. **SETTLEMENT EFFORTS**

15 State what efforts have been made to settle.

16 9. **ARBITRATION**

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

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

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

22 10. **LENGTH OF TRIAL**

23 a. Please state the anticipated length of trial.

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

26 c. Please state the number of experts that you intend
27 to call, specifying the number of retained experts and the
28 number of non-retained experts.

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

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

b. Is there a pending reservation of rights? If so, please explain.

12. ATTACHMENTS

Provide additional information or attachments, if any, which will aid the settlement judge (such as excerpts from medical or police reports, photographs, compilations of damages, contracts, arbitrator decision, etc.).

I declare under penalty of perjury under the laws of the State of California, that the information provided herein reflects my good faith belief in the accuracy of the responses provided and that I am aware of the requirements of the Local Rules (4.00 et seq.) regarding mandatory settlement conferences.

DATED:

(signature)

Attorney for _____