

UNITED STATES DISTRICT COURT

District of Hawaii

SETTLEMENT CONFERENCE PROCEDURES BEFORE MAGISTRATE JUDGE BARRY M. KURREN

- 1. PRESETTLEMENT CONFERENCE EXCHANGE OF DEMAND AND OFFER.** At least 21 days prior to a settlement conference before Judge Kurren, plaintiff's counsel shall submit a written itemization of damages and settlement demand to defendant's counsel with a brief explanation of why such a settlement is appropriate. No later than 7 days prior to the settlement conference, defendant's counsel shall submit a written offer to plaintiff's counsel with a brief explanation of why such a settlement is appropriate.
- 2. SUBMISSIONS TO THE COURT.** Settlement conference statements submitted to the Court in accordance with LR 16.5(b)(1) shall be delivered electronically to Judge Kurren at kurren_orders@hid.uscourts.gov. Do not deliver hard copies of settlement conference statements to Judge Kurren's chambers.
- 3. ATTENDANCE OF PARTIES REQUIRED.** Unless otherwise ordered by Judge Kurren, parties with full and complete settlement authority are required to personally attend the conference. An insured party shall appear by a

representative of the insurer who is authorized to negotiate, and who has the authority to settle the matter up to the limits of the opposing parties' existing demand. An uninsured corporate party shall appear by a representative authorized to negotiate, and who has authority to settle the matter up to the opposing parties' existing settlement demand or offer. Governmental entities may appear through litigation counsel only.

4. FORMAT. Judge Kurren will generally use a mediation format, and all conference discussions will be informal, off the record, privileged, and confidential.

5. RATIFYING A SETTLEMENT. The parties should review and be prepared to complete Judge Kurren's settlement term sheet at the conclusion of the settlement conference in the event a settlement is reached.