

**PROCEDURES FOR SETTLEMENT CONFERENCES WITH  
JUDGE ROBERT W. GETTLEMAN**

1. The parties have requested a settlement conference with Judge Gettleman. It is expressly understood that:
  - a. The parties' participation in the settlement conference is entirely voluntary;
  - b. All communications relating to the settlement conference are confidential, "off the record," and subject to Federal Rule of Evidence 408;
  - c. Unless expressly excused by the court, clients or a person with authority to settle will personally be present at the settlement conference; and
  - d. Judge Gettleman may, in his sole discretion, "caucus" with each party (i.e., hold discussions with a party outside the presence of the other parties).
2. Prior to submission of the letters described in paragraph 3 below, the plaintiff(s) shall make a demand and the defendant(s) shall respond thereto. All parties shall explain the rationale of their respective offers and demands.
3. Seven days prior to the settlement conference, or on such other date as the court may direct, the parties will submit letters to Judge Gettleman conforming to the following directions:
  - a. The letters shall briefly set forth a description of the case and the parties' positions with respect to settlement (including the demand(s) and offer(s) described in paragraph 2 above, along with any subsequent demand or offer);
  - b. Each party shall send a copy of that party's letter to all other parties;
  - c. If any party wishes to communicate anything to the court that the party does not wish to share with other parties, the letter should include such information in a footnote or addendum, clearly stating that such information has not been shared with the other parties.
  - d. All settlement letters will be discarded by Judge Gettleman at the close of the case.
4. Any party wishing to alter this procedure must make an appropriate request to the court prior to delivery of the settlement letters described above. Observance of an orderly settlement process is likely to increase the chances for amicable resolution.