

Amy Eddy  
Robert B. Allison  
Heidi J. Ulbricht  
David M. Ortley  
District Judges, Department 1, 2, 3 & 4  
Flathead County Justice Center  
920 South Main Street, Suite 310  
Kalispell, MT 59901  
Telephone: (406) 758-5906

CLERK OF DISTRICT COURT

2016 JAN 19 AM 11:42

FILED  
BY \_\_\_\_\_ DEPUTY 

IN THE ELEVENTH JUDICIAL DISTRICT COURT, FLATHEAD COUNTY,  
MONTANA

IN RE ELEVENTH JUDICIAL )  
DISTRICT COURT RULES OF ) STANDING ORDER RE:  
PRACTICE ) SETTLEMENT CONFERENCES  
)

The Court hereby enters a Standing Order regarding Settlement Conferences ordered pursuant to Rule 16 Scheduling Orders in this District.

1. The purpose of the settlement conference is to permit an informal discussion among the attorneys, parties, and the settlement judge of every aspect of the lawsuit bearing on its settlement value, thus permitting the settlement master to candidly express views concerning the settlement value of the parties' claims. All communications made in connection with the settlement conference are confidential and will not be disclosed to anyone. Statements or communications of any kind occurring during the settlement conference may not be used by any party with regard to any aspect of the litigation.

2. Counsel who will actually try the case shall attend the conference. All parties shall attend, in person, with authority to settle. Counsel shall appear with their clients whether or not counsel have been given ultimate settlement authority.

3. It is the responsibility of counsel to timely advise all named parties of this conference and to ensure the personal attendance of the required individuals. Availability of any required individuals by telephone is not acceptable, and requests to excuse personal attendance will not be entertained without exceptional justification.

4. Prior to the settlement conference, the attorneys are directed to discuss settlement with their clients, and counsel are encouraged to discuss settlement between themselves so the parameters of settlement have been explored well in advance of the settlement conference.

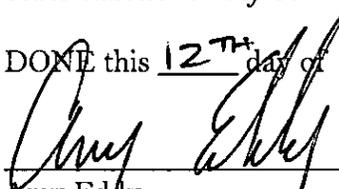
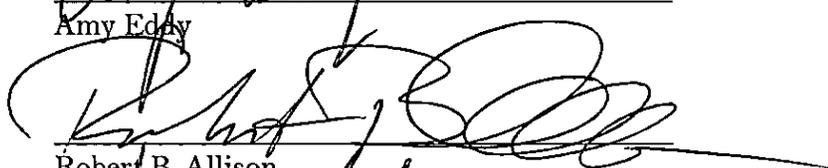
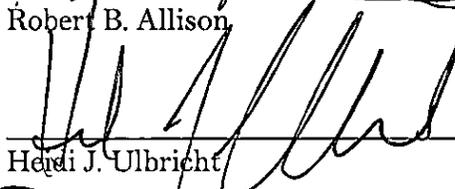
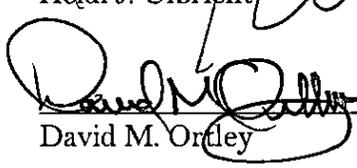
5. A settlement conference statement from each party must be submitted directly to the office of the Settlement Master. The statement should contain:

- a. The background of the case;
- b. Factual and legal issues, including damages;
- c. Points and authorities of law;
- d. A description of the strongest and weakest points in their case, both legal and factual, and that of their opponents; and
- e. The history of settlement negotiations including a recitation of any specific offers and demands.

Discovery materials or evidence that will be offered at trial may be included if thought particularly relevant. The settlement statement shall not be filed or exchanged with other parties. The settlement statement will be disposed of unless return is requested at the close of the conference.

6. Cooperation and compliance with these procedures is deemed essential to an effective settlement conference. Failure to abide by these procedures will cause the conference to be cancelled and rescheduled. The noncomplying attorney and/or party may be assessed the costs and expenses incurred by the other individuals involved due to the cancellation, and other sanctions may be imposed in the discretion of the settlement master.

DONE this 12<sup>TH</sup> day of January, 2016.

  
\_\_\_\_\_  
Amy Eddy  
\_\_\_\_\_  
Robert B. Allison  
\_\_\_\_\_  
Heidi J. Ulbricht  
\_\_\_\_\_  
David M. Ortley