

DISTRICT COURT  
2019 JAN 30 PM 1:51

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

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10 IN THE DISTRICT COURT OF THE ELEVENTH JUDICIAL DISTRICT  
11 OF THE STATE OF MONTANA, IN AND FOR THE COUNTY OF FLATHEAD

\* \* \* \* \*

12 IN RE ELEVENTH JUDICIAL DISTRICT )  
13 COURT RULES OF PRACTICE ) STANDING ORDER RE:  
14 ) SETTLEMENT CONFERENCES  
15 )

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

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

26 2. Counsel who will actually try the case shall attend the conference. All  
27 parties shall attend, in person, with authority to settle. Counsel shall appear with their  
28 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

ORDER RE: FAMILY COURT SERVICES

1 between themselves so the parameters of settlement have been explored well in  
2 advance of the settlement conference.

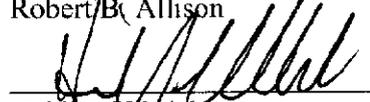
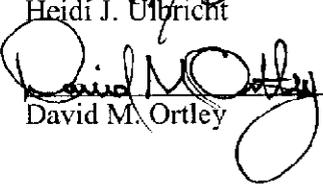
3 5. A settlement conference statement from each party must be submitted  
4 directly to the office of the Settlement Master. The statement should contain:

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

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

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

22 DONE this 30 day of January, 2013.

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24 Ted O. Lympus  
25   
26 Robert B. Allison  
27   
28 Heidi J. Ulbricht  
  
David M. Ortley