

MDL 875: SETTLEMENT CONFERENCE PROCEDURES

A party wishing to have a settlement conference, should follow the following procedures:

- 1.) Settlement Conferences are held on 8 days per month before a Magistrate Judge in the Eastern District of Pennsylvania.
- 2.) Any party may request a settlement conference in their case.
- 3.) In order to obtain a date for your settlement conference, please write or call Case Administrator Bruce Lassman and inform him of your request for a settlement conference.
- 4.) Case Administrator Lassman will assign the parties a settlement conference date.
- 5.) Plaintiff shall give notice of this conference to each viable defendant in each case no less than thirty (30) days before the conference is scheduled. A Certificate of Notification of this notice shall be forwarded to the Magistrate Judge assigned to the case prior to the Conference.
- 6.) Plaintiff shall provide to each viable defendant a copy of plaintiff's most current medical report relied upon and a synopsis of the exposure evidence against that defendant. Plaintiff is directed to make a reasonable demand upon each of the defendants, and the parties must attempt in good faith to negotiate settlement of the case(s) prior to the conference date.
- 7.) In preparation for the conference, parties must exchange information and complete such discovery as is necessary to be in a posture to negotiate settlement.
- 8.) Parties to all unresolved claims in the case shall appear at the conference with necessary authority to settle the case(s) with their principals present or immediately available to them by phone.
- 9.) The Magistrate Judge has the authority to require the principals to be present, to continue the conference for additional days, or, to postpone the conference with or without costs assessed.
- 10.) In the event that a claim is settled in full as to any individual claim or defendant, the Magistrate Judge shall dismiss that claim or the claim against the settled defendant with prejudice pursuant to Local Rule of Civil Procedure 41.1(b).
- 11.) In the event that a claim is not settled, the Magistrate Judge shall determine whether further settlement conferences will be helpful. If not, the Magistrate Judge shall inform the Presiding Judge whether the parties have negotiated in good faith and whether the parties are ready for trial.