

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
CALIFORNIA

Eucebio Torres v. Officer G. Paredes, et al.

Torres v. Paredes · No. 22-cv-448-JES-DTF · Decided July 2, 2025

SUMMARY

The United States District Court for the Southern District of California orders a mandatory settlement conference in Torres v. Paredes. The conference is scheduled for August 25, 2025, before Magistrate Judge D. Thomas Ferraro and will be conducted by Zoom. The order establishes requirements concerning attendance, settlement proposals, meet-and-confer obligations, settlement conference statements, and requests for continuances.

CASE DETAILS

COURT	United States District Court for the Southern District of California
WRITING FOR THE COURT	D. Thomas Ferraro
DECIDED	July 2, 2025
DOCKET	22-cv-448-JES-DTF
DISPOSITION	other
PROCEDURAL POSTURE	The district court issued an order setting a mandatory settlement conference and establishing preconference procedures and deadlines.
PRECEDENTIAL VALUE	nonprecedential

TOPICS

mediation civil procedure

PRACTICE AREAS

civil procedure civil rights

QUESTIONS PRESENTED

1. What attendance and settlement authority requirements apply to the mandatory settlement conference?
2. What procedures and deadlines must the parties follow before and during the Zoom settlement conference?
3. What showing and filing requirements apply to a request to continue the settlement conference?

HOLDINGS

1. All parties, required claims adjusters, responsible attorneys, and nonlawyer representatives with full and unlimited authority to negotiate and enter into a binding settlement must attend the settlement conference and be legally and factually prepared to resolve the case.
2. The parties must comply with the court's mandatory procedures, including participating by Zoom, exchanging written settlement proposals, meeting and conferring, lodging settlement conference statements, and providing participant information by the specified deadlines.
3. The settlement conference may be rescheduled only upon a showing of good cause and adequate notice, and absent extraordinary circumstances a continuance request must be made by joint motion in writing at least seven days before the conference and must address the matters specified in the order.

KEY QUOTATIONS

“Full and unlimited authority” means that the individuals attending the SC must be authorized to fully explore settlement options and to agree at that time to any settlement terms acceptable to the parties.” (1)

“The person needs to have “unfettered discretion and authority” to change the settlement position of a party.” (1)

“The SC may be rescheduled only upon a showing of good cause and adequate notice to the Court.” (2)

FACTUAL BACKGROUND

The case was pending in the Southern District of California and was scheduled for a settlement conference using Zoom. The court required the parties, counsel, claims adjusters where applicable, and authorized representatives to attend and be prepared to negotiate. The order also established deadlines for written settlement proposals, a meet-and-confer, settlement conference statements, and any request to continue the conference.

PROCEDURAL HISTORY

At the request of the district judge, the court set a settlement conference for August 25, 2025, before Magistrate Judge D. Thomas Ferraro. The order imposed attendance, preparation, technology, settlement-proposal, meet-and-confer, statement, and continuance requirements.

DISPOSITION

other

CASES CITED

- Heileman Brewing Co., Inc. v. Joseph Oat Corp., 871 F.2d 648 (7th Cir. 1989)
- Pitman v. Brinker Int'l, Inc., 216 F.R.D. 481, 485-486 (D. Ariz. 2003)

OPINION

Torres v. Paredes

PER CURIAM.

1 2 3 4 5 6 7

8 UNITED STATES DISTRICT COURT

9 SOUTHERN DISTRICT OF CALIFORNIA

10 11 EUCEBIO TORRES, Case No.: 22-cv-448-JES-DTF 12 Plaintiff,

ORDER SETTING SETTLEMENT

13 v. CONFERENCE and

ISSUING PRECONFERENCE

14 OFFICER G. PAREDES, et al., PROCEDURES. 15

Defendants. 16 17 Per the District Judge's request, the Court hereby SETS a Settlement
Conference 18 ("SC") for August 25, 2025, at 09:30 a.m. before Magistrate Judge D. Thomas
Ferraro. 19 This Order establishes mandatory guidelines for the parties preparing for the SC. 20
Absent express permission obtained from this Court, and notwithstanding the pendency of 21 any
motion, counsel and all parties shall timely comply with the dates and deadlines in this 22 Order.
23

1. Review of Chambers Rules: All parties are ordered to read and to fully comply

24 with the Chambers Rules and Settlement Conference Rules of Magistrate Judge D. Thomas 25
Ferraro. 26

2. Attendance: All parties (including those indemnified by others), claims adjusters

27 for insured defendants, the principal attorney(s) responsible for the litigation, and non- 28 1
lawyer representatives with full and unlimited authority to negotiate and enter into a 2 binding
settlement must be present and legally and factually prepared to discuss and resolve 3 the case at
the SC. "Full and unlimited authority" means that the individuals attending the 4 SC must be
authorized to fully explore settlement options and to agree at that time to any 5 settlement terms
acceptable to the parties. *Heileman Brewing Co., Inc. v. Joseph Oat 6 Corp.*, 871 F.2d 648 (7th Cir.
1989). The person needs to have "unfettered discretion and 7 authority" to change the settlement
position of a party. *Pitman v. Brinker Int'l, Inc.*, 216 8 F.R.D. 481, 485–486 (D. Ariz. 2003). 9 3.
Procedure for Zoom Video Conference: The Court will use its official Zoom 10 video
conferencing account to hold the Settlement Conference. If you are unfamiliar with 11 Zoom:
Zoom is available on computers through a download on the Zoom website 12
(<https://zoom.us/meetings>) or on mobile devices through the installation of a free app.1 13 Joining
a Zoom conference does not require creating a Zoom account, but it does require 14 downloading
the .exe file (if using a computer) or the app (if using a mobile device). 15 Participants are
encouraged to create an account, install Zoom and familiarize themselves 16 with Zoom in
advance of the Settlement Conference.2 There is a cost-free option for 17 creating a Zoom
account. 18 a. Prior to the start of the Settlement Conference, the Court will email each 19
participant an invitation to join a Zoom video conference. Again, if possible, participants 20 are

encouraged to use laptops or desktop computers for the video conference, as mobile devices often offer inferior performance. Participants shall join the video conference by 22 23 24 1 If possible, participants are encouraged to use laptops or desktop computers for the 25 video conference, rather than mobile devices. 26 2 For help getting started with Zoom, visit: <https://support.zoom.us/hc/en-us/categories/200101697-Getting-Started> 28 1 following the ZoomGov Meeting hyperlink in the invitation. Participants who do not have 2 Zoom already installed on their device when they click on the ZoomGov Meeting hyperlink 3 will be prompted to download and install Zoom before proceeding. Zoom may then prompt 4 participants to enter the password included in the invitation. 5 b. Each participant should plan to join the Zoom video conference at least 6 five minutes before the start of the Settlement Conference to ensure that the conference 7 begins promptly at 09:30 a.m. 8 c. Zoom's functionalities will allow the Court to conduct the Settlement 9 Conference as it ordinarily would conduct an in-person one. The Court will divide 10 participants into separate, confidential sessions, which Zoom calls Breakout Rooms.³ In a 11 Breakout Room, the Court will be able to communicate with participants from a single 12 party in confidence. Breakout Rooms will also allow parties and counsel to communicate 13 confidentially without the Court. 14 d. No later than August 18, 2025, counsel for each party shall send an e-mail 15 to the Court at efile_Ferraro@casd.uscourts.gov containing the following: (1) The name 16 and title of each participant, including all parties and party representatives with full 17 settlement authority, claims adjusters for insured defendants, and the primary attorney(s) 18 responsible for the litigation, and (2) An e-mail address for each participant to receive the 19 Zoom video conference invitation; 20 e. All participants shall display the same level of professionalism during the 21 Settlement Conference and be prepared to devote their full attention to the Settlement 22 Conference as if they were attending in person, i.e., cannot be driving or in a car while 23 speaking to the Court. Because Zoom may quickly deplete the battery of a participant's 24 device, each participant should ensure that their device is plugged in or that a charging of 25 cable is readily available during the video conference. 26 27 3 For more information on what to expect when participating in a Zoom Breakout Room, 28 1 f. Counsel are advised that although the Settlement Conference will take place 2 on Zoom, all participants shall appear and conduct themselves as if it is proceeding in a 3 courtroom, i.e., all participants must dress in appropriate courtroom attire. 4 4. Formal Settlement Proposal: Plaintiff must serve on Defendant a written 5 settlement proposal, which must include a specific demand amount, no later than August 6 8, 2025. The defendant must respond to the plaintiff in writing with a specific offer amount 7 prior to the Meet and Confer discussion. The parties should not file or otherwise copy the 8 Court on these exchanges. Rather, the parties must include their written settlement 9 proposals in their respective Settlement Conference Statements to the Court. 10 5. Meet and Confer Requirement: Counsel for the parties must meet and confer 11 in person or by videoconference no later than August 15, 2025. 12 6. Mandatory Settlement Conference Statements: Each party must prepare and 13 lodge a Settlement Conference Statement with the

Court no later than August 18, 2025. 14 The Statement must be lodged in .pdf format via email to efile_Ferraro@casd.uscourts.gov. 15 The SC statements are not to exceed 10 pages. SC statements may be submitted 16 confidentially or shared with an opposing party at the submitting party's discretion. The 17 parties are to refer to the appropriate section of Judge Ferraro's Chambers Rules regarding 18 SC statement requirements. 19 7. The SC may be rescheduled only upon a showing of good cause and adequate 20 notice to the Court. Absent extraordinary circumstances, requests for continuances will not 21 be considered unless submitted in writing no less than seven (7) days before the SC. All 22 requests for continuances must be made by a joint motion. The request must state: 23 a. The original date; 24 b. The number of previous requests for continuances; 25 c. A showing of good cause for the request; 26 d. Whether the request is opposed and why; 27 e. Whether the requested continuance will affect other case management 28 dates; and 1 f. A declaration from the counsel seeking the continuance that describes the 2 ||steps taken to comply with the existing deadlines, and the specific reasons why the 3 || deadlines cannot be met. 4 8. Questions regarding this case or these mandatory guidelines may be directed to 5 || Judge Ferraro's law clerk at efile _Ferraro@casd.uscourts.gov. 6 IT IS SO ORDERED. 7 Dated: July 2, 2025 8 : Sze, 10 11 TO 12 Hon. D. Thomas Ferraro 3 United States Magistrate Judge 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28