

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
PENNSYLVANIA

Devin McCarthy v. Raul Jauregui, et al.

McCarthy · No. 3:21-CV-1759 · Decided January 5, 2026

SUMMARY

The United States District Court for the Middle District of Pennsylvania denied a defendant’s request for copies of confidential settlement memoranda submitted in preparation for a settlement conference. The court emphasized the public interest in encouraging settlement and maintaining the confidentiality of settlement negotiations, including the policy reflected in Federal Rule of Evidence 408.

CASE DETAILS

COURT	United States District Court for the Middle District of Pennsylvania
WRITING FOR THE COURT	Daryl F. Bloom
JURISDICTION	United States District Court for the Middle District of Pennsylvania
DECIDED	January 5, 2026
DOCKET	3:21-CV-1759
DISPOSITION	dismissed
PROCEDURAL POSTURE	After the parties reached a settlement and the action was dismissed, Defendant Raul Jauregui requested copies of the confidential settlement memoranda submitted for a settlement conference. Defendant Daniel Boye objected, and the magistrate judge denied the request.
PRECEDENTIAL VALUE	Unknown; memorandum and order from a federal district court with no reported citation.

TOPICS

civil procedure

evidence

mediation

PRACTICE AREAS

civil procedure

evidence

settlement confidentiality

QUESTIONS PRESENTED

1. Whether a party should be provided copies of confidential settlement memoranda submitted to the court in preparation for a settlement conference.

HOLDINGS

1. The request for copies of the parties' confidential settlement memoranda was denied because the strong public interest in encouraging settlement and maintaining the confidentiality of settlement negotiations, combined with Jauregui's failure to provide a basis for disclosure, weighed against disclosure.

KEY QUOTATIONS

“For settlement negotiations to be fruitful, parties ‘must be able to make hypothetical concessions, offer creative quid pro quos, and generally make statements that would otherwise belie their litigation efforts.’”

“The policy behind Rule 408 is to encourage freedom of discussion with regard to compromise.”

“information exchanged during discussions held for the purpose of settlement should be kept confidential.”

FACTUAL BACKGROUND

The court directed the parties to submit confidential settlement memoranda describing their assessment of the case and settlement recommendations before a January 3, 2025 settlement conference. The parties reached a settlement at the conference, and the court ordered dismissal of the action. Jauregui requested all submissions provided to the court without explaining a basis for disclosure, while Boye objected on confidentiality grounds.

PROCEDURAL HISTORY

The action was referred to Chief United States Magistrate Judge Daryl F. Bloom for a settlement conference. The court ordered the parties to submit confidential settlement memoranda, the parties reached a settlement on January 3, 2025, and the action was dismissed. Jauregui later sought copies of the memoranda, which Boye opposed; the court denied the request.

DISPOSITION

dismissed

CASES CITED

- 2023 WL 6387680, at *4-*5 (D.N.J. Sept. 29, 2023)
- 800 F.2d 339, 344 (3d Cir. 1986)
- 2010 WL 8917474 (E.D. Pa. Oct. 7, 2010)
- 332 F.3d 976, 980 (6th Cir. 2003)
- 56 F.3d 521, 526 (3d Cir. 1995)