PREPARATION FOR SETTLEMENT CONFERENCE

All communications made in connection with the settlement conference are confidential and will not be disclosed to anyone. Any documents requested and submitted for settlement conference will be maintained in chambers and will be destroyed after the conference.

CONFINDENTIAL PRE-CONFERNECE LETTER REQUIREMENTS

Pre-conference letters shall be submitted to the Court and received no less than two (2) weeks in advance of the settlement conference. The attorneys for each party shall submit to Judge LaBarre a letter, no more than three (3) pages in length. No pictures, no exhibits, no medical reports are requested.

It is not intended that this Pre-Conference letter be a legal brief, nor should it be a detailed argument of the parties' legal position. Rather, it should be the attorney's candid evaluation of the crucial issues, the obstacles to resolution, and a proposed "road map" on how the case should be resolved. The letter should be just a simple, straight-forward, to-the-point letter. It should also include details as to what factors have made resolution difficult without the Court. It must include the settlement history involving both numbers exchanged and discussions between opposing sides about settlement. Such information might include personality conflicts, any policy considerations and other outside influences. The purpose of the letter is not intended to invite legal positioning but to assist the Court and attorneys in the development of settlement objectives. The Court expects the letter to state the Plaintiff's current settlement demand number. Pre-conference letters usually are not sent to opposing counsel.

THE SETTLEMENT CONFERENCE

All plaintiffs, uninsured defendants and claim representatives (read: supervisory level or above) with authority to settle the case must attend. Supervisory level claims personnel are required and must appear in person. If the defendant is insured and the claims representative is present, it is not necessary that the defendant attend the conference unless the policy of insurance requires that defendant's permission to settle. If there is a health insurance carrier who is claiming an off-set for future benefits, a representative of that carrier is required to attend the conference. If you are unable to convince the carrier to attend, please contact this office and we will notify them of their required attendance.

If there are any third party liens or subrogated interests, the amounts thereof should be determined with certainty before the conference. **It is suggested that third party claims personnel be available by telephone** if such interests need to be considered and resolved in order to effectuate the settlement.

Jerome LaBarre, Circuit Court Judge
Multnomah County Courthouse
1021 SW Fourth Avenue
Portland, OR 97204

Telephone: (503) 988-3448
Facsimile: (503) 276-0946
(No more than 3 pages to be faxed)