



By no later than \_\_\_\_\_, each party shall provide under seal an updated confidential settlement memorandum of no more than four pages addressing with candor the following points:

A brief analysis of the key issues involved in the litigation, including a specific breakdown of the claimed damages.

1. A description of the strongest and weakest legal and factual points in the party's case.
2. A description of the strongest and weakest legal and factual points in the opponent's case.
3. The status of settlement negotiations, including the last settlement proposal made by each side. In this regard, counsel are directed to confer with their clients in advance of the mediation conference to explore the party's settlement position, and the parties are encouraged to exchange settlement proposals prior to the conference.
4. The settlement proposal that the party believes would be fair.
5. The settlement proposal that the party would be willing to make in order to conclude the matter at this time.

Each memorandum shall be sealed, held in confidence by the court and returned to the party at the conclusion of mediation. The memoranda shall be submitted to the court by email to [Tamara\\_Figueroa@Mad.uscourts.gov](mailto:Tamara_Figueroa@Mad.uscourts.gov).

In the event any party believes the case is not ripe for mediation, please notify other counsel and the court as soon as possible.

IT IS SO ORDERED.

DATED:

/s/ Kenneth P. Neiman  
KENNETH P. NEIMAN  
United States Magistrate Judge