

(c) Pre-Trial Conference. Any order for a pre-trial conference shall be in the form of and include the provisions as set forth in the Exhibit "A" attached to this rule. The pre-trial conference shall be held not less than two weeks prior to the trial date.

(d) Pre-Trial Order. A pre-trial order in the form of Exhibit "B" attached to this rule shall be prepared by counsel within ten (10) days after the conclusion of the pre-trial conference.

(e) Exhibits. Parties shall notify the trial judge and the opposing party by letter if that party anticipates offering 25 exhibits or more at time of trial. Said notice shall be given no less than 2 weeks prior to the trial date.

(f) Settlement Conference.

On Court's Motion. The court to which a case is assigned for trial may, upon its own motion after a trial date has been set, order a settlement conference in any pending case, and a settlement conference shall be held.

(2) Order for Settlement Conference. Upon the entry of an order for a settlement conference, the judge shall fix a specific date and hour for the conference.

(3) Preparation and Attendance. The attorney personally in charge of each party's case shall personally attend all settlement conferences and shall, not less than three (3) days prior to the date set for the settlement conference, serve on the assigned judge and the attorney for the opposing party a letter succinctly addressing the following:

- a. A brief factual summary;
- b. Issues regarding liability;
- c. Issues regarding damages, both special and general;
- d. History of any settlement negotiations; and
- e. Current position on settlement.

Each attorney shall be prepared to discuss the foregoing in detail at the settlement conference.

(4) Attendance of Parties. The parties shall in

all cases attend the settlement conference.

Parties whose defense is provided by a liability insurance company need not personally attend said settlement conference, but a representative of the insurer of such party, if such a representative is available in Chelan-Douglas counties, shall attend with sufficient authority to bind the insurer to a settlement. In the event such a representative is not available, counsel representing the party whose defense is provided by the insurer shall make a good faith effort to obtain settlement authority to bind the insurer to a settlement prior to the settlement conference.

Attendance of any party may be excused by the court where by reason of health, or other good and sufficient reason, compelling his personal attendance would be unduly burdensome. Whether or not the attendance of any party is required shall rest in the discretion of the Judge. Request for excuse shall be made at least three (3) days prior to the hearing.

(5) Proceedings Privileged. Proceedings of said settlement conference shall, in all respects, be privileged and shall not be reported or recorded. No party shall be bound unless a settlement is reached. When a settlement has been reached, the judge may, at the request of any party, in his discretion, order the settlement to be reported or recorded.

(6) Sanctions. Where a party has failed to comply with any of the provisions of this rule the court shall make such orders as are just which shall include the award of reasonable expenses, including attorney's fees, caused by the failure, unless the court finds that the failure was substantially justified or that other circumstances make an award of expenses unjust.

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