

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, CHANCERY DIVISION**

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| |) | |
| Plaintiff(s), |) | No. |
| |) | |
| v. |) | Calendar 13 |
| |) | |
| |) | Judge Anna H. Demacopoulos |
| |) | |
| |) | |
| Defendant(s). |) | |

PRE-TRIAL SETTLEMENT CONFERENCE ORDER

IT IS HEREBY ORDERED that this matter is set for pre-trial settlement conference on _____ at _____ (AM/PM).

All relevant parties, or an appropriate representative of a corporate party authorized to settle the case, are required to be personally present at the pretrial conference, unless excused by order of the Court. The parties must appear with FULL AUTHORITY to settle the matter, if your authority requires a third-party not physically present at the conference to authorize the settlement, then that is not "full authority."

At least fourteen (14) days prior to the settlement conference, each party MUST submit to the Court (via email to CHANCERY.CALENDAR13@COOKCOUNTYIL.GOV), and exchange with opposing counsel (unless otherwise specified) a brief memorandum advising the Court of the nature of the claims and defenses, as well as the most recent settlement demand and offer. Memorandums are limited to 15 pages, unless otherwise ordered. Failure to submit the memorandum in advance of the settlement conference may result in the striking of the settlement conference date. **Please see Exhibit A**, attached to this order (back page), for the preferred template.

The pretrial memoranda **must include** an actual, good faith, settlement offer with a specific monetary amount, if applicable. Failure to include an actual, good faith, settlement offer in the memorandum may result in the Court striking the settlement conference date.

All parties agree that anything done or said at the pretrial settlement conference shall not serve as the basis of any motion for substitution of judge pursuant to 735 ILCS 5/2-1001(a)(2) and/or 735 ILCS 5/2-1001(a)(3).

Attorney No.: _____
Name: _____
Attorney for: _____
Address: _____
City: _____
Telephone: _____

ENTERED:

Judge Anna H. Demacopoulos, 2002

PRETRIAL MEMORANDUM TEMPLATE

I. INTRODUCTION

This section should include a **BRIEF** overview of the facts in this case. Please include a timeline, in chronological order, if necessary. The timeline may be a separate exhibit to your memorandum. Please include what triggered the breakdown in the parties' relationship, even if those facts are not included in the pleadings. Include what broke the parties' mutual trust. Include whether something is preventing performance by one or either of the parties. This section may go beyond what facts are plead in the pleadings, please get to the heart of the trust issues.

II. OPERATIVE PLEADINGS & LEGAL THEORIES

*THIS SECTION **SHOULD NOT** MAKE UP THE MAJORITY OF YOUR MEMORANDUM.*

This section should include a brief recitation of the counts of the complaint, affirmative defenses, counterclaims, pleadings, and legal arguments currently before the Court. Please include the specific (verbatim) relief sought as articulated in the pleadings.

For example: The Complaint is two counts for Declaratory Judgment and Judicial Expulsion of Defendant as a Partner. The DJ asks for an entry of judgment declaring that the partners only consist of plaintiffs, at 25% ownership interest apiece. The second count asks for an order expelling Defendant from the corporation.

There are six Counterclaims by Defendant although three are plead in the alternative. . .

*THIS SECTION **SHOULD NOT** MAKE UP THE MAJORITY OF YOUR MEMORANDUM.*

III. PAST & OUTSTANDING SETTLEMENT OFFERS

This section should articulate past and current settlement offers and negotiations. Include dates and specific amounts. Please articulate what you believe potential barriers to settlement are as well. If something failed and prevented settlement at the last minute, please include what that was. Again, legal argument should not be the main focus of this memorandum.

IV. CURRENT OFFERS TO SETTLE

This section must include actual, good faith offers to settle the case. Include specific amounts if appropriate. Multiple options should be included. For example, (a) Plaintiff will settle for \$25,000; or (b) Plaintiff will settle for \$10,000.00, an NDA, and a public apology; or (c) Plaintiff will settle for specific performance and payment of 50% of the outstanding taxes. Include what the needs and expectations are for your client.