

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No. 20-CV-81205-RUIZ/Reinhart

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

DEAN J. VAGNOZZI, et al.,

Defendants.

ORDER SETTING SETTLEMENT CONFERENCE

THIS CAUSE, having come before this Court upon the District Court's referral of the instant case to the undersigned for a settlement conference (ECF No. 859), it is hereby **ORDERED AND ADJUDGED** as follows:

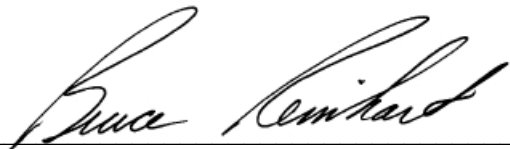
- 1.) **Defendant Dean J. Vagnozzi, his counsel, and the SEC** shall appear before this Court on **Wednesday, November 3, 2021 at 2:00 PM**, at the United States Courthouse, 701 Clematis Street, West Palm Beach, Florida, 33401, **Courtroom 5**, for a settlement conference. The following rules shall apply to the settlement proceedings:
 - 1.) **NO CONTINUANCES.** This settlement conference shall not be continued unless good cause is shown for another date. Any motions for continuance of the settlement conference must be in writing, properly filed with the Court prior to the date of the conference, and shall contain a proposed date for rescheduling the conference. Counsel moving to continue the conference shall consult with

opposing counsel in proposing a new date for the conference.

- 2.) **OPTION TO SUBMIT WRITTEN STATEMENT TO THE COURT.** No later than **Monday, November 1, 2021**, counsel **MAY** submit directly to chambers a written submission of no more than five (5) pages (single spaced), which shall contain an itemization of damages, a settlement offer and a brief explanation of why such a settlement is appropriate, including an assessment of the strengths and weaknesses of their case. The submission shall also indicate whether there are any liens or any third parties whose involvement would help facilitate settlement. If the parties chose to submit a written statement, they are instructed **not to submit such documents to the Clerk of Court**. Rather, to facilitate timely submission of the documents, each party shall email their submissions to reinhardt@flsd.uscourts.gov. Such submissions will be kept confidential and will not be disclosed to the opposing party without prior approval of the submitting party.
- 3.) **ATTENDANCE OF PARTIES REQUIRED.** Parties with ultimate settlement authority must be present at the settlement conference. An insured party shall appear through a representative of the insurer who is authorized to negotiate, and who is authorized to settle the matter up to the coverage limit of the insured's policy. An uninsured corporate party shall appear through a representative who is authorized to negotiate, and who has full authority to settle the matter on behalf of the corporation.

- 4.) **STATEMENTS NOT ADMISSIBLE.** Statements made by any party during the settlement conference are not admissible at trial. Accordingly, parties are encouraged to be frank in their discussions. The Court expects the parties to address each other with courtesy and respect.

DONE and ORDERED in Chambers this 27th day of October, 2021, at West Palm Beach in the Southern District of Florida.



BRUCE E. REINHART
UNITED STATES MAGISTRATE JUDGE