

3. A description of the strongest and weakest legal and factual points in the opposing party's case.
4. The status of settlement negotiations, including the last proposal made by each side. Counsel will confer and confirm the status of settlement proposals prior to submitting their memoranda.

Each memorandum will be held in confidence by the court, not docketed, not disclosed to the opposing party, and returned at the conclusion of mediation. The memoranda will be submitted to the Courtroom Deputy, Bethaney Healy, at the following email address:

Bethaney_Healy@mad.uscourts.gov

If any party believes the case is not ripe for mediation, the party will notify opposing counsel and the court in writing within three workdays of receipt of this order, briefly describing the reasons for the party's position. Within three workdays thereafter the opposing party may respond. The notification and response may, or may not, persuade the court to cancel or postpone mediation.

If the scheduled date and time poses a serious conflict, counsel should not contact the Supervising Deputy directly regarding re-scheduling. Instead, counsel should confer and, as soon as possible but in any event no later than one week prior to the scheduled date, file an assented-to motion to continue the mediation, offering at least three proposed dates and times at which all counsel and their principals or representatives will be available.

DATED: January 5, 2023

/s/ Michael A. Ponsor
MICHAEL A. PONSOR
United States District Judge