

RULE 50.1
SETTLEMENT CONFERENCES

- 50.1.01** (1) At the request of the parties, the “Deputy Registrar for Pre-trial Conferences” may set down a settlement conference.

Steps to be completed before Conference

- (2) All examinations, production of documents and motions arising out of examinations and production of documents shall be completed before the settlement conference date.

Parties' Attendance at Settlement Conference

- (3) A settlement conference judge may direct the parties, or a representative of a party responsible for making decisions in the proceeding and instructing the lawyer, to attend all or part of a settlement conference personally with their counsel.

Settlement Conference Brief

- (4) The plaintiff shall deliver not later than 10 days before the settlement conference a settlement conference brief, containing all material the plaintiff considers necessary for the settlement conference, and shall certify that subrule (2) has been complied with.

Other Parties to Deliver Briefs

- (5) Every other party shall deliver a settlement conference brief containing any other material the party considers necessary for the settlement conference not later than five days before the conference.

Contents of Brief

- (6) A settlement conference brief shall contain,
- (a) a concise summary of the facts, including the agreed upon facts and admissions;
 - (b) where necessary, a concise summary of the issues and the law to be relied upon by each party;
 - (c) a list of witnesses and a summary of each witness's evidence;

- (d) the relevant portions only of transcripts, experts' reports and other evidence that may be adduced at trial;
 - (e) the party's pleadings, including any demand or order for particulars of a pleading and the particulars delivered in response; and
 - (f) any offer or counteroffers made to date.
- (7) The settlement conference judge may waive any of the requirements set out above.
- (8) No communication shall be made to the judge presiding at the hearing of the proceeding or a motion or reference in the proceeding with respect to any statement made at the settlement conference.

Trial Dates

- (9) At the conference, the settlement conference judge shall refer the parties to the deputy registrar for pre-trial conferences responsible for the assignment of a trial or hearing date.