

1 Justin T. Beck, Esq. (Cal. Bar No. 53138)
 2 Ron C. Finley, Esq. (Cal. Bar No. 200549)
 3 Alfredo A. Bismonte, Esq. (Cal. Bar No. 136154)
 4 Craig Alan Hansen, Esq. (Cal. Bar No. 209622)
 5 Jeremy M. Duggan, Esq. (Cal. Bar No. 229854)
 6 Beck, Ross, Bismonte & Finley, LLP
 7 50 West San Fernando Street, Suite 1300
 8 San Jose, CA 95113
 9 Tel: (408) 938-7900
 10 Fax: (408) 938-0790
 11 Email: jbeck@beckcross.com
 12 rfinley@beckcross.com
 13 abismonte@beckcross.com
 14 chansen@beckcross.com
 15 jduggan@beckcross.com

16 Attorneys for Plaintiffs
 17 Richard W. Berger and Brant W. Berger

18 **UNITED STATES DISTRICT COURT**
 19 **NORTHERN DISTRICT OF CALIFORNIA**

20 RICHARD W. BERGER and BRANT W.
 21 BERGER,

22 Plaintiffs,

23 v.

24 SEYFARTH SHAW LLP, an Illinois limited
 25 liability partnership; JACK L. SLOBODIN,
 26 an individual; BURNETT, BURNETT, &
 27 ALLEN, a California partnership;
 28 DOUGLAS B. ALLEN, an individual;
 and DOES 1-100, inclusive;

Defendants.

Case No. C07-05279 JSW

**STIPULATION AND [~~PROPOSED~~] ORDER
 SELECTING ADR PROCESS**

Counsel report that they have met and conferred regarding ADR and have reached the following stipulation pursuant to Civil L.R. 16-8 and ADR L.R. 3-5:

The parties agree to participate in private mediation.

The parties further agree to hold their ADR session within 90 days from the date of the

BECK, ROSS, BISMONTE & FINLEY, LLP
 FAIRMONT PLAZA
 50 W. SAN FERNANDO ST., 1300
 SAN JOSE, CALIFORNIA 95113
 TELEPHONE (408) 938-7900

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

order referring this case to an ADR process unless otherwise ordered.

Dated: January 21, 2009

BECK, ROSS, BISMONTE & FINLEY, LLP

By: /s/ Craig A. Hansen

Craig A. Hansen
Attorneys for the Plaintiffs
Richard W. Berger and Brant W. Berger

Dated: January 21, 2009

KEKER & VAN NEST, LLP

By: /s/ Elliot R. Peters

ELLIOT R. PETERS
Attorneys for Defendants
SEYFARTH SHAW LLP, and JACK L.
SLOBODIN

Dated: January 21, 2009

BURNETT, BURNETT & ALLEN

By: /s/ Douglas B. Allan

DOUGLAS B. ALLEN
Attorneys for Defendants
DOUGLAS B. ALLEN and BURNETT,
BURNETT & ALLEN

Filer's Attestation

I, Craig A. Hansen, the filer of this document, hereby attest that concurrence in the filing of this document has been obtained from each signatory hereto.

By: /s/ Craig A. Hansen

Craig A. Hansen

BECK, ROSS, BISMONTE & FINLEY, LLP
FAIRMONT PLAZA
50 W. SAN FERNANDO ST., 1300
SAN JOSE, CALIFORNIA 95113
TELEPHONE (408) 938-7900

~~[Proposed]~~ Order

Pursuant to the Stipulation above, the captioned matter is hereby referred to private mediation.

The parties shall engage in this ADR session within 90 days from the date of this order.

IT IS SO ORDERED.

Dated: January 22, 2009

By  _____
HON. JEFFREY S. WHITE
U.S. DISTRICT COURT JUDGE

BECK, ROSS, BISMONTE & FINLEY, LLP
FAIRMONT PLAZA
50 W. SAN FERNANDO ST., 1300
SAN JOSE, CALIFORNIA 95113
TELEPHONE (408) 938-7900

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28