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5 Attorneys for Third-Party Defendant  
 FEDERAL INSURANCE COMPANY  
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 8 **UNITED STATES DISTRICT COURT**  
 9 **NORTHERN DISTRICT OF CALIFORNIA**  
 10 **SAN FRANCISCO DIVISION**

11 JON W. BAYLESS and GARY J.  
 12 MORGENTHALER, as Trustees in Dissolution  
 for WESTWAVE COMMUNICATIONS, INC.,  
 13 a dissolved Delaware Corporation,

14 **Plaintiff,**

15 v.

16 ILLINOIS UNION INSURANCE COMPANY,  
 and DOES 1-10,

17 **Defendants,**

CASE NO.: 03:08-CV-01779-JSW

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

The Honorable Jeffrey S. White

18 ILLINOIS UNION INSURANCE COMPANY,

19 **Third-Party Plaintiff,**

20 v.

21 FEDERAL INSURANCE COMPANY,

22 **Third-Party Defendant.**

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1 Counsel report that they have met and conferred regarding ADR and have reached the  
2 following stipulation pursuant to Civil L.R. 16-8 and ADR L.R. 3-5: The parties agree to  
3 participate in court sponsored mediation (ADR L.R. 6).

4 However, the parties ask that the Court assign a mediator with substantial insurance  
5 coverage experience.

6 The parties agree to hold the session by 90 days from the date of the order referring the  
7 case to mediation.

8 Dated: March 19, 2010

**HOGAN & HARTSON LLP**

9 /s/  
10 Norman J. Blears

11 Attorneys for Third-Party Defendant  
12 Federal Insurance Company

**HODGSON RUSS LLP**

13 /s/ Patrick M. Tomovic  
14 Patrick M. Tomovic,  
15 Kevin D. Szcpanski, and  
16 Brent Nowicki (all admitted *Pro Hac Vice*)  
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22 - and -

**DILLINGHAM & MURPHY LLP**

23 /s/ March (Hsiao C.) Mao  
24 Dennis J. Kelly and  
25 March (Hsiao C.) Mao Local Counsel  
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Attorneys for Third-Party Plaintiffs  
Illinois Union Insurance Company


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~~[PROPOSED ORDER]~~

Pursuant to the above Stipulation above, the captioned matter is hereby referred to mediation. The deadline for the mediation is 90 days from the date of this order.

IT IS SO ORDERED.

Dated: March 22, 2010

  
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Honorable Jeffrey S. White