

1 JOSEPH P. RUSSONIELLO, CSBN 44332
United States Attorney
2 JOANN M. SWANSON, CSBN 88143
Chief, Civil Division
3 EDWARD A. OLSEN, CSBN 214150
Assistant United States Attorney

4 450 Golden Gate Avenue, Box 36055
5 San Francisco, California 94102
6 Telephone: (415) 436-6915
FAX: (415) 436-6927

7 Attorneys for Defendant

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 OAKLAND DIVISION

11 JACK HAIN,

12 Plaintiff,

13 v.

14 UNITED STATES DEPARTMENT
15 OF THE NAVY,

16 Defendant.

) No. C 08-3747 CW

) **STIPULATION AND ~~PROPOSED~~**
) **ORDER SELECTING ADR PROCESS**
) **AS MODIFIED**

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18 Plaintiff, proceeding *pro se*, and the government, by and through its attorneys of record, have
19 met and conferred regarding ADR and have reached the following stipulation pursuant to Civil
20 L.R. 16-8 and ADR L.R. 3-5.

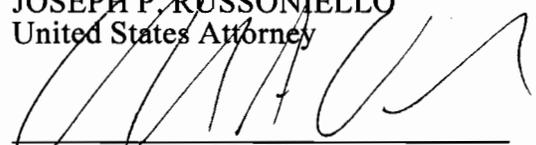
21 The parties agree to participate in the following ADR process: Mediation to be completed
22 following the resolution of anticipated motions: (1) to amend the Complaint to add a claim of
23 failure to warn of dangerous conditions at the Hunters Point Navy Base; and (2) to dismiss based
24 on the discretionary function exception to the FTCA.

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Dated: October 28, 2008

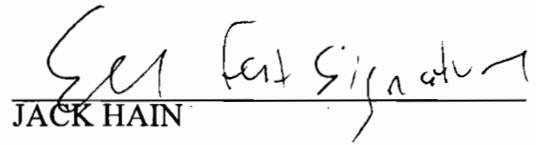
Respectfully submitted,

JOSEPH P. RUSSONIELLO
United States Attorney



EDWARD A. OLSEN
Assistant United States Attorney
Attorneys for Defendant

Dated: October 28, 2008



JACK HAIN

[PROPOSED] ORDER

Pursuant to the stipulation set forth above, the above-caption matter is referred to: Mediation

IT IS SO ORDERED.

Dated:

CLAUDIA WILKEN
United States District Judge

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Dated: October 28, 2008

Respectfully submitted,

JOSEPH P. RUSSONIELLO
United States Attorney

EDWARD A. OLSEN
Assistant United States Attorney
Attorneys for Defendant

Dated: October 28, 2008


JACK HAIN, *in pro per*

~~PROPOSED~~ ORDER

Pursuant to the stipulation set forth above, the above-caption matter is referred to: ~~Mediation~~
a Magistrate Judge for a settlement conference.

IT IS SO ORDERED.

Dated: 11/3/08


CLAUDIA WILKEN
United States District Judge

ADR STIPULATION
C 08-3747 CW