Case 3:08-cv-04331-VRW Document 8 Filed 11/24/2008 Page 1 of 2 JOSEPH P. RUSSONIELLO, CSBN 44332 United States Attorney JOANN M. SWANSON, CSBN 88143 Assistant United States Attorney Chief, Civil Division ILA C. DEISS, NY SBN 3052909 Assistant United States Attorney 5 450 Golden Gate Avenue, Box 36055 San Francisco, California 94102 Telephone: (415) 436-7124 6 FAX: (415) 436-7169 7 Attorneys for Defendant 8 9 UNITED STATES DISTRICT COURT 10 NORTHERN DISTRICT OF CALIFORNIA 11 SAN FRANCISCO DIVISION JAMES ARTHUR MATTSON, 12 No. C 08-4331 VRW 13 Plaintiff. PARTIES' JOINT REQUEST TO BE 14 v. EXEMPT FROM FORMAL ADR UNITED STATES FEDERAL BUREAU **PROCESS** OF INVESTIGATION, 16 Defendant. 17 18 Each of the undersigned certifies that he or she has read either the handbook entitled "Dispute Resolution Procedures in the Northern District of California," or the specified portions of the ADR 19 20 Unit's Internet site <www.adr.cand.uscourts.gov>, discussed the available dispute resolution 21 options provided by the court and private entities, and considered whether this case might benefit from any of them. 22 23 Here, the parties agree that referral to a formal ADR process will not be beneficial because this action is limited to Plaintiff's FOIA request to the Federal Bureau of Investigation for responsive 25 records and all non-exempt portions thereof pertaining to himself. Given the substance of the action and the lack of any potential middle ground, ADR will only serve to multiply the 26 27 proceedings and unnecessarily tax court resources. 28 /// JOINT REQUEST FOR ADR EXEMPTION C 08-4331 VRW 1

Accordingly, pursuant to ADR L.R. 3-3(c), the parties request the case be removed from the ADR Multi-Option Program and that they be excused from participating in the ADR phone conference and any further formal ADR process.

Dated: November 24, 2008

Respectfully submitted,

IOSEPH P. PLISSONIELLO

JOSEPH P. RUSSONIELLO United States Attorney

ILA C. DEISS
Assistant United States Attorney
Attorney for Defendant

ORDER

Pursuant to stipulation and to ADR L. R. 3-3(c), the parties are hereby removed from the ADR Multi-Option Program and are excused from participating in the ADR phone conference and any further formal ADR process.

SO ORDERED.

Dated: 12/1/2008



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