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7 Attorneys for Plaintiff

8 UNITED STATES DISTRICT COURT  
 9 NORTHERN DISTRICT OF CALIFORNIA

10 JOHN MARTIN

Case No.: CV-08-04853 EMC

11 Plaintiff,

12 **STIPULATION AND [PROPOSED]**  
 13 **ORDER SELECTING ADR PROCESS**

14 vs.

15 RICOH AMERICAS CORPORATION, and  
 16 DOES 1-50, inclusive

17 Defendants.

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

20 The parties agree to participate in the following ADR process:

21 **Court Processes:**

- 22  Non-binding Arbitration (ADR L.R. 4)
- 23  Early Neutral Evaluation (ENE) (ADR L.R. 5)
- 24  Mediation (ADR L.R. 6)

25 *(Note: Parties who believe that an early settlement conference with a Magistrate Judge is  
 26 appreciably more likely to meet their needs than any form of ADR, must participate in an ADR  
 27 phone conference and may not file this form. They must instead file a Notice of Need for ADR  
 28 Phone Conference. See Civil Local Rule 16-8 and ADR L.R. 3-5)*

29 **Private Process:**

30  Private ADR (please identify process and provider)


31 The parties agree to hold the ADR session by:

- 32  the presumptive deadline (The deadline is 90 days from the date of the order  
 33 referring the case to an ADR process unless otherwise ordered.)
- 34  other requested deadline \_\_\_\_\_

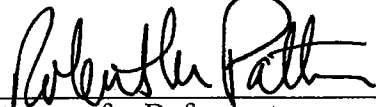
GWILLIAM, IVARY, CHIOSSO, CAVALLI & BREWER  
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Dated: January 1, 2009

  
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Attorney for Plaintiff  
RANDALL E. STRAUSS

Dated: January 16, 2009

  
\_\_\_\_\_  
Attorney for Defendant


**[PROPOSED] ORDER**

Pursuant to the Stipulation above, the captioned matter is hereby referred to:

- Non-binding Arbitration
  - Early Neutral Evaluation (ENE)
  - Mediation
  - Private ADR
- Deadline for ADR session
- 90 days from the date of this order
  - other \_\_\_\_\_

IT IS SO ORDERED.

DATED: January 22, 2009

  
\_\_\_\_\_  
UNITED STATES MAGISTRATE JUDGE

GWILLIAM, IVARY, CHIOSSO, CAVALLI & BREWER  
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