UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

FILED

MAR - 9 2009

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

BIO-RAD LABORATORIES, INC., a
corporation and NATIONAL LIABILITY &
FIRE INSURANCE, a corporation

              Plaintiff(s),

           v.

DHL EXPRESS (USA), INC.,
a corporation and DOES ONE
through TEN

              Defendant(s).

CASE NO. CV 08-5664 CW

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 the following ADR process:

Court Processes:

☐ Non-binding Arbitration (ADR L.R. 4)
☐ Early Neutral Evaluation (ENE) (ADR L.R. 5)
☒ Mediation (ADR L.R. 6)

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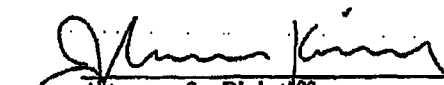ADR Phone Conference. See Civil Local Rule 16-8 and ADR L.R. 3-5)*

Private Process:

☐ Private ADR *(please identify process and provider)* _____

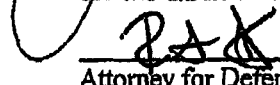The parties agree to hold the ADR session by:

☐ the presumptive deadline *(The deadline is 90 days from the date of the order
referring the case to an ADR process unless otherwise ordered.)*

☒ other requested deadline ___July 31, 2009___

Dated: 3/3/09

              Attorney for Plaintiff
              BIO-RAD LABORATORIES, INC.; NATIONAL LIABILITY & F

Dated: 3/3/09

              Attorney for Defendant
              DHL EXPRESS (USA), INC.

NDC-ADR8

~~[PROPOSED]~~ ORDER

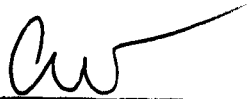Pursuant to the Stipulation above, the captioned matter is hereby referred to:

- ☐ Non-binding Arbitration
- ☐ Early Neutral Evaluation (ENE)
- ☒ Mediation
- ☐ Private ADR

Deadline for ADR session

- ☐ 90 days from the date of this order.
- ☒ other July 31, 2009

IT IS SO ORDERED.

Dated: 3/9/09

Claudia Wilken
UNITED STATES   JUDGE