

United States District Court  
Northern District of California

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**UNITED STATES DISTRICT COURT**  
**Northern District of California**

Resnick,  
  
Plaintiff(s),  
  
v.  
  
Walmart.com USA LLC,  
  
Defendant(s).

09-00002 PJH

**NOTICE RE: NONCOMPLIANCE  
WITH COURT ORDER**

**This Document Also Relates to:**

- [3:09-cv-00096-PJH](#) O'Connor v. Walmart.com USA LLC et al
- [3:09-cv-00111-PJH](#) Endzweig v. Walmart.com USA LLC. et al
- [3:09-cv-00116-PJH](#) Schmitz v. Walmart.com USA LLC et al
- [3:09-cv-00138-PJH](#) Lynch et al v. Walmart.com USA LLC et al
- [3:09-cv-00139-PJH](#) Groce et al v. Netflix, Inc. et al
- [3:09-cv-00156-PJH](#) Sivek v. Walmart.com USA LLC. et al
- [3:09-cv-00180-PJH](#) Faris v. Netflix, Inc. et al
- [3:09-cv-00225-PJH](#) Slobodin v. Netflix, Inc. et al
- [3:09-cv-00236-PJH](#) Anthony et al v. Walmart.com USA LLC et al
- [3:09-cv-00244-PJH](#) Polk-Stamps v. Netflix, Inc. et al
- [3:09-cv-00274-PJH](#) Sheeler v. Walmart.com USA LLC et al
- [3:09-cv-00294-PJH](#) Chapman v. Netflix, Inc. et al
- [3:09-cv-00297-PJH](#) Orozco v. Netflix, Inc. et al

**Notice Re: Noncompliance With Court Order**  
09-00002 PJH -1-

- 1 [3:09-cv-00340-PJH](#) Landels et al v. Netflix, Inc. et al
- 2 [3:09-cv-00349-PJH](#) Grime v. Netflix, Inc. et al
- 3 [3:09-cv-00361-PJH](#) Meyer v. Walmart.com USA LLC et al
- 4 [3:09-cv-00368-PJH](#) Randall v. Walmart.com USA LLC et al
- 5 [3:09-cv-00377-PJH](#) Miscioscia v. Netflix, Inc. et al
- 6 [3:09-cv-00391-PJH](#) Chatelain v. Netflix, Inc. et al
- 7 [3:09-cv-00398-PJH](#) Weiner v. Walmart.com USA LLC et al
- 8 [3:09-cv-00399-PJH](#) Millrood v. Walmart.com USA LLC et al
- 9 [3:09-cv-00400-PJH](#) Kober v. Walmart.com USA LLC et al
- 10 [3:09-cv-00402-PJH](#) Lacabe v. Walmart.com USA LLC et al
- 11 [3:09-cv-00445-PJH](#) Bruno et al v. Walmart.com USA LLC et al
- 12 [3:09-cv-00447-PJH](#) Zaker -v- Netflix, Inc. et al
- 13 [3:09-cv-00496-PJH](#) Parikh v. Netflix, Inc. et al
- 14 [3:09-cv-00553-PJH](#) Johnson v. Walmart.com USA LLC et al
- 15 [3:09-cv-00554-PJH](#) Gannon v. Walmart.com USA LLC et al
- 16 [3:09-cv-00678-PJH](#) Williams v. Netflix, Inc. et al

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The parties have failed to file an ADR Certification and either a Stipulation and [Proposed] Order Selecting an ADR Process or a Notice of Need for ADR Phone Conference as required by the Initial Case Management Scheduling Order. Counsel shall Meet and Confer forthwith in an attempt to agree on an ADR process for this matter. Thereafter, counsel, on behalf of themselves and each party, promptly shall file an **ADR Certification** and either 1) a **Stipulation and [Proposed] Order Selecting ADR Process**, or 2) a **Notice of Need for ADR Phone Conference** (Civil L.R. 16-8(b), ADR L. R. 3-5(b) Civil L.R. 16-8(c), ADR L. R. 3-5(c), (d)). (These forms are available at [www.adr.cand.uscourts.gov](http://www.adr.cand.uscourts.gov).)

1 Further, in accordance with ADR L.R. 3-5(e) counsel shall concurrently provide a  
2 copy of all documents filed pursuant to this notice directly to the ADR Unit either by fax  
3 (415-522-4112), hand delivery (ADR Program, USDC, Northern District of California,  
4 450 Golden Gate Avenue, 16<sup>th</sup> Floor, San Francisco, California), or by PDF attachment  
5 to an e-mail directed to [adr@cand.uscourts.gov](mailto:adr@cand.uscourts.gov).

6  
7 It is the responsibility of counsel to schedule an ADR Phone Conference, if  
8 required, to occur before the Case Management Conference.

9  
10  
11 Dated: March 25, 2009

12 RICHARD W. WIEKING  
13 Clerk  
14 by: Timothy J. Smagacz



15 \_\_\_\_\_  
16 ADR Program Administrator  
17 415-522-4205  
18 Tim\_Smagacz@cand.uscourts.gov

**PROOF OF SERVICE**

Case Name: Resnick v. Walmart.com USA LLC

Case Number: 09-00002 PJH

I declare that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California. I am over the age of eighteen (18) years and not a party to the action. My business address is:

ADR Program  
United States District Court  
Northern District of California  
450 Golden Gate Avenue Floor 16  
San Francisco, CA 94102

On March 25, 2009, I served a true and correct copy of:

**Notice Re: Noncompliance With Court Order**

[X] electronically, I caused said documents to be transmitted using ECF as specified by General Order No. 45 to the following parties:

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[ ] by Facsimile, I caused said documents to be transmitted to the following parties by fax machine:

[ ] by U. S. Mail, I placed a true copy in a sealed envelope with postage fully prepaid in the United States Post Office Mail Box in San Francisco, California, addressed as follows:

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on March 25, 2009 in San Francisco, California.

RICHARD W. WIEKING  
Clerk  
by: Timothy J. Smagacz

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ADR Program Administrator  
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Tim\_Smagacz@cand.uscourts.gov