# UNITED STATES DISTRICT COURT
# NORTHERN DISTRICT OF CALIFORNIA

Gregory Bender

                    Plaintiff(s),

          v.

Nokia, Inc.

                    Defendant(s).

_____/

CASE NO.  09-cv-01247-MMC

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   90 days from the issuance of the claim construction order.

Dated:  10/2/09                          /s/ David N. Kuhn
                                         Attorney for Plaintiff

Dated:  10/2/09                          /s/ Gregory L. Lippetz
                                         Attorney for Defendant

In accordance with General Order No. 45, Section X(B), the Attorney for Defendant attests that concurrence in the filing of this document has been obtained from the Attorney for Plaintiff.

**[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   90 days from the issuance of the claim construction order.

IT IS SO ORDERED.

Dated: October 6, 2009

MAXINE M. CHESNEY
UNITED STATES DISTRICT JUDGE