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Attorney for Plaintiff Gregory Bender

5 Attorneys for Defendant Nokia Inc.

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 7  
 8 UNITED STATES DISTRICT COURT  
 9 NORTHERN DISTRICT OF CALIFORNIA  
 10 SAN FRANCISCO DIVISION

12 Gregory Bender,  
 13 Plaintiff,  
 14 v.  
 15 Nokia Inc.,  
 16 Defendant.

Case No. C09-01247 MMC

**STIPULATION AND ~~PROPOSED~~  
 ORDER REGARDING SELECTED  
 ADR PROCESS**

17  
 18 Plaintiff Gregory Bender (“Plaintiff”) and Defendant Nokia Inc, (“Defendant”), through  
 19 their respective counsel, hereby make the following stipulation:

20 WHEREAS, on October 2, 2009, the parties filed a Stipulation and Proposed Order  
 21 Selecting ADR Process, which selected Court Mediation Process under ADR L.R. 6. (D.I. 28).

22 WHEREAS, on October 6, 2009, the Court granted the proposed order and referred the  
 23 parties to Court Mediation Process. (D.I. 30).

24 WHEREAS, the parties now wish to change the designated ADR process to private  
 25 mediation.

26 THE PARTIES HEREBY STIPULATE THAT:

- 27 (1) This case will be removed from the Court Mediation Process.

1 (2) The parties instead stipulate to private mediation with mediator Randall Wulff of  
2 Wulff, Quinby & Sochynsky, or, if Mr. Wulff is unavailable and both parties agree on a different  
3 mediator, with a different mediator.

4 (3) The private mediation will be completed by 90 days following the issuance of the  
5 claim construction order in this action.

6 Respectfully submitted,

7 Dated: April 1, 2010

Jones Day

8  
9 By:  /s/ Gregory Lippetz

10 Greg L. Lippetz  
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18 Counsel for Defendant Nokia Inc.

19 In accordance with General Order No. 45, Section X(B), the above signatory attests that  
20 concurrence in the filing of this document has been obtained from the signatory below.

21 Dated: April 1, 2010

22 By:  /s/ David Kuhn

23 David N. Kuhn  
24 Attorney-at-Law  
25 144 Hagar Avenue  
26 Piedmont, California 94611  
27 Telephone: (510) 653-4983

28 Counsel for Plaintiff Gregory Bender

**PURSUANT TO STIPULATION, IT IS SO ORDERED:**

29 DATED:  April 6, 2010

30 By:  Maxine M. Chesney

31 THE HON. MAXINE M. CHESNEY  
32 United States District Court Judge

33 SVI-78472v1