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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

MOUNT HAMILTON PARTNERS, LLC	)	Case No. C 09 02074 JSW
Plaintiff,	)	STIPULATION AND <del>PROPOSED</del>
vs.	)	ORDER SELECTING ADR PROCESS
OPENTABLE, INC.,	)	
Defendant.	)	
AND RELATED COUNTERCLAIMS.	)	

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:**

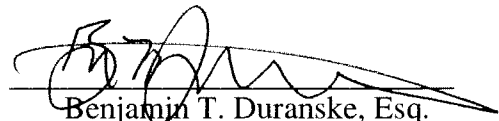
Private ADR *(please identify process and provider)* \_\_\_\_\_

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 135 days from the date of the [Proposed] Order.

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Dated: July 31, 2009

  
Benjamin T. Duranske, Esq.  
Attorney for Plaintiff

Dated: July 31, 2009

/s/ Carisa S. Yee  
Carisa S. Yee, Esq.  
Attorney for Defendant

**[PROPOSED ORDER]**

Pursuant to the Stipulation above, the captioned matter is hereby referred to:  
Mediation  
Deadline for ADR session  
135 days from the date of this order.

**IT IS SO ORDERED.**

Dated: August 4, 2009

  
JEFFREYS. WHITE  
United States District Court