

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

EUNICE LEE, and SUSAN
MONTEGNA, individually and on
behalf of all others similarly
situated,

CASE NO. 09-04022 JSW

Plaintiff(s),

STIPULATION AND [PROPOSED]
ORDER SELECTING ADR PROCESS

v.

ULTA SALON, COSMETICS &
FRAGRANCE, INC.

Defendant.

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) Mediation

The parties will identify a provider after they determine when to hold the mediation.

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

The parties will determine when to hold the mediation after they have engaged in necessary discovery. The parties anticipate that the mediation session will be completed within six months after the initial case management conference.

Dated: 11-25-09


Attorney for Plaintiffs

Dated: 11-25-09


Attorney for Defendant
ULTA SALON, COSMETICS &
FRAGRANCE, INC.

[PROPOSED] ORDER

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

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

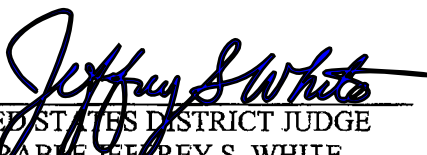
Deadline for ADR session

- 90 days from the date of this order.
- other _____

To be determined after the parties engage in necessary discovery. ~~The parties anticipate that the mediation session will be completed within six months after the initial case management conference.~~

The mediation session shall be completed within six months after the initial case management conference, unless the parties request a further extension of time.
~~IT IS SO ORDERED.~~

Date: November 30, 2009



UNITED STATES DISTRICT JUDGE
HONORABLE JEFFREY S. WHITE