

REED SMITH LLP

A limited liability partnership formed in the State of Delaware

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 Defendants Data Retrieval Technology LLC

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

16 DATA RETRIEVAL TECHNOLOGY LLC, a
 17 Delaware Corporation,

18 Plaintiff,

19 v.

20 SYBASE, INC., a Delaware corporation, and
 21 INFORMATICA CORPORATION, a Delaware
 Corporation,

22 Defendants

23 AND RELATED COUNTERCLAIMS.
 24
 25
 26
 27
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Case No. C 09-05360 VRW
 Related Case No.: C08-05481 VRW
 Related Case No.: C09-1909 VRW

**STIPULATION AND ~~PROPOSED~~
 ORDER SELECTING ADR PROCESS**

Compl. Filed: Nov. 13, 2009
 Trial Date: N/A

Hon. Vaughn R. Walker

1 Counsel report that they have met and conferred regarding ADR and have reached the
2 following stipulation pursuant to Civil L.R. 16-8 and ADR L.R. 3-5:

3 The parties agree to participate in the following ADR process:

4 **Court Processes:**

- 5 Non-binding Arbitration (ADR L.R. 4)
- 6 Early Neutral Evaluation (ENE) (ADR L.R. 5)
- 7 Mediation (ADR L.R. 6)

8 *(Note: Parties who believe that an early settlement conference with a Magistrate Judge is*
9 *appreciably more likely to meet their needs than any other form of ADR, must participate in an*
10 *ADR phone conference and may not file this form. They must instead file a Notice of Need for*
11 *ADR Phone Conference. See Civil Local Rule 16-8 and ADR L.R. 3-5)*

12 **Private Process:**

13 **X** Private ADR *(please identify process and provider):* **The parties already attempted**
14 **to mediate this dispute as well as the related cases Nos. C08-05481 VRW and C09-1909 VRW,**
15 **before Judge Infante on February 2, 2010 in the San Francisco JAMS office. In addition, the**
16 **parties have agreed to reconvene with Judge Infante in approximately six months.**

17 The parties agree to hold the ADR session by:

18 the presumptive deadline *(The deadline is 90 days from the date of the order*
19 *referring the case to an ADR process unless otherwise ordered.)*

20 **X** other requested deadline: **The parties request no deadline because they already**
21 **attempted to mediate this dispute.**

22 DATED: March 25, 2010.

REED SMITH LLP

23
24 By: /s/ James A. Daire

25 James A. Daire
26 Attorneys for
27 Sybase, Inc. and Informatica Corporation

28 DATED: March 25, 2010.

ROHDE & VAN KAMPEN PLLC

By: /s/ Greg G. Schwartz*

Gregory G. Schwartz
Attorneys for
Data Retrieval Technology LLC

**Filer's Attestation: Pursuant to General Order No. 45, Section X(B) regarding signatures,*
James A. Daire hereby attests that concurrence in the filing of this document has been obtained.

[PROPOSED] ORDER

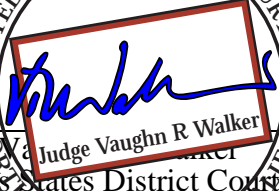
Pursuant to the Stipulation above, the captioned matter is hereby referred to:
X Private ADR

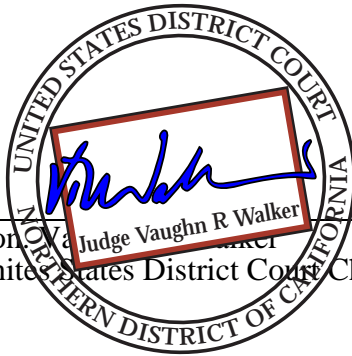
Deadline for ADR session

X The parties already attempted to mediate this dispute as well as related case Nos. C08-05481 VRW and C09-1909 VRW, before Judge Infante on February 2, 2010 in the San Francisco JAMS office. In addition, the parties have agreed to reconvene with Judge Infante in approximately six months. Accordingly, the Court declines to order an additional deadline for ADR in this case.

IT IS SO ORDERED.

DATED: 3/30, 2010.

By  _____
Hon. Vaughn R Walker
United States District Court Chief Judge



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