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28UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIALAWRENCE HICKMAN,  
Plaintiff,  
v.  
OFFICER E. BASHAN,  
Defendant.

Case No. 11-cv-04395-EDL

**ORDER**

On September 18, 2013, the parties entered into a stipulation and order agreeing to resolve this matter through binding arbitration. Docket No. 152. On February 20, 2014, the Court issued an Order setting forth the process to be used to select the single arbitrator. Docket No. 161. Thereafter, Defendant objected to three potential arbitrators, and the Court issued an Order permitting Plaintiff time to respond to Defendant's objections. Docket No. 164. Plaintiff responded, arguing that Defendant's objections should be overruled and that the entire panel should remain eligible. Docket No. 165.

Subsequently, the Court referred the matter to Magistrate Judge Maria-Elena James for a hearing on the enforcement of the settlement reached by the parties in September 2013. Docket No. 166. Plaintiff then filed a motion to stay arbitration pending ruling on a motion to amend the complaint, which the Court denied on April 11, 2014. Docket No. 171. The Court also referred the matter to Judge James for a further settlement conference. Id.

Before the further settlement conference, Plaintiff filed a motion to amend the complaint and a motion to stay, which the Court denied on September 24, 2014. Docket No. 177. The further settlement conference was vacated just prior to the Court's Order. Docket No. 176. The Court set a status conference for October 14, 2014. At the status conference, Defendant withdrew

1 her objections to the potential arbitrators and stated that she was prepared to proceed with  
2 arbitration. Although Plaintiff informed the Court that he was no longer willing to participate in  
3 the arbitration process, he had previously agreed to do so in a binding stipulation that was adopted  
4 as a court order.

5 Accordingly, the Court enforces the parties' September 18, 2013 stipulation to proceed  
6 with binding arbitration. Further, the arbitrator selection process outlined in the Court's February  
7 20, 2014 Order remains in effect. Attached to this Order is an alphabetical list of the potential  
8 arbitrators on the Court's Arbitration Panel. Thus, no later than November 4, 2014, the parties  
9 shall select their preferred arbitrator as set forth in the February 20, 2014 Order. Defendant has  
10 withdrawn any objections to the potential arbitrator. Because Plaintiff did not object when this list  
11 was presented in February 2014, he has waived any objections to the potential arbitrators. Once  
12 an arbitrator has been appointed, the arbitration will proceed under the current procedures set forth  
13 under ADR Local Rule 4.

14 **IT IS SO ORDERED.**

15 Dated: October 20, 2014

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17 ELIZABETH D. LAPORTE  
18 United States Magistrate Judge

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**USDC ADR Program**  
**Case No. C 11-4395 EDL ARB**  
*Hickman v. City of Berkeley, et al.*  
List of Police Misconduct Arbitrators

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