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6 ATTORNEYS FOR PLAINTIFF
 7 BRANDYWINE COMMUNICATIONS

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

11 BRANDYWINE COMMUNICATIONS
 12 TECHNOLOGIES, LLC,

13 Plaintiff,

14 v.

15 SHORETEL, INC.,

16 Defendant.
 17

Case No. 3:12-cv-02036-JSW

**STIPULATION AND [PROPOSED]
 ORDER SELECTING ADR PROCESS**

18
 19 Counsel report that they have met and conferred regarding ADR and have reached the
 20 following stipulation pursuant to Civil L.R. 16-8 and ADR L.R. 3-5:

21
 22 The parties agree to participate in the following ADR process:

23 Private ADR: Private mediation with a mediator from JAMS or other provider.
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25 The parties agree to hold the ADR session by February 28, 2013.
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Dated: August 31, 2012

FARNEY DANIELS, LLP

/s/ Jonathan D. Baker
Jonathan D. Baker

Counsel for Plaintiff
Brandywine Communications
Technologies, LLC

Dated: August 31, 2012

FISH & RICHARDSON P.C.

/s/ Christopher O. Green
Christopher O. Green

Counsel for Defendant
Avaya Inc.

I, Jonathan D. Baker, attest that the concurrence in the filing of this document has been obtained from each of the other signatories.

Dated: August 31, 2012

/s/ Jonathan D. Baker
Jonathan D. Baker

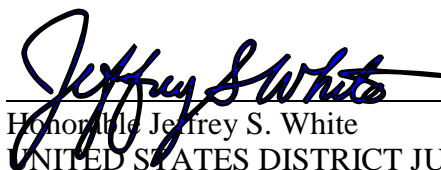
Counsel for Plaintiff
Brandywine Communications
Technologies, LLC

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~~PROPOSED~~ ORDER

- The parties' stipulation is adopted and IT IS SO ORDERED.
- ~~The parties' stipulation is modified as follows, and IT IS SO ORDERED.~~

Dated: September 5, 2012



Honorable Jeffrey S. White
UNITED STATES DISTRICT JUDGE