

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

OVERTURE NETWORKS, INC.  
a Delaware corporation,  
Plaintiff,

Case No. CV12-03439 JSW

STIPULATION AND ~~PROPOSED~~  
ORDER SELECTING ADR PROCESS

v.

MICRON TECHNOLOGY, INC.,  
a Delaware corporation, and DOES 1  
through 20, inclusive,  
Defendants.

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)* Parties to meet and

Confer, but anticipate using a neutral from JAMS

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 November 30, 2012

Dated: September 14, 2012

/s/ R. Anthony Young  
Attorney for Plaintiff

Dated: September 14, 2012

/s/ Gerald E. Hauxhurst  
Attorney for Defendant

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**CERTIFICATION**

I, Scott E. Hennigh, am the ECF User whose identification and password are being used to file this STIPULATION AND [PROPOSED] ORDER SELECTING ADR PROCESS. In compliance with Civil Local Rule 5-1(i), I hereby attest that GERALD E. HAWXHURST has concurred in this filing.

Dated: September 14, 2012

By \_\_\_\_\_ /s/ Scott E. Hennigh  
SCOTT E. HENNIGH

**[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 17, 2012

\_\_\_\_\_  
*Jeffrey S White*  
UNITED STATES JUDGE

When filing this document in ECF, please be sure to use the appropriate Docket Event, e.g., "Stipulation and Proposed Order Selecting Mediation."