

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

NANCY PRENTICE and
COLIN HAUGHIN _____,
Plaintiff(s),

CASE NO. 3:12-05856-MEJ

v.
NATIONAL RAILROAD
PASSENGER CORP. _____,
Defendant(s).
_____ /

STIPULATION AND ~~PROPOSED~~
ORDER SELECTING ADR PROCESS

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)

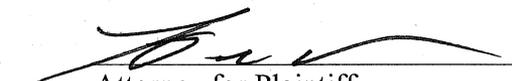
Private Process:

- Private ADR (please identify process and provider) Mediation; provider to be determined.

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 120 days from date of order.

Dated: 01/24/13


Attorney for Plaintiff

Dated: _____

Attorney for Defendant

CONTINUE TO FOLLOWING PAGE

~~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: January 25, 2013



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

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PROOF OF SERVICE

I under penalty of perjury that I am employed in the office of a member of the bar of this Court at whose direction the service was made, over the age of 18 years and not a party to this action; my business address is 401 West "A" Street, Suite 2350, San Diego, CA 92101. On January 24, 2013, I served the following:

STIPULATION AND [PROPOSED] ORDER SELECTING ADR PROCESS

as designated below and addressed as follows:

SEE ATTACHED SERVICE LIST

(By Mail) I placed a copy of each document in an envelope for each addressee, sealed each envelope and, with postage thereon, fully prepaid, placed each envelope for deposit with the U.S. Postal Service at San Diego, CA.

(By Overnight Delivery) I placed a copy of each document in an overnight delivery package for each addressee, sealed each package and, with delivery fees fully provided for, placed each package for deposit in a box regularly maintained by the overnight delivery service at San Diego, CA.

(By Electronic Delivery) Pursuant to written consent of the parties, I transmitted each document to each addressee at the facsimile number or email address listed on the attached Service List. Confirmation of receipt was received from each addressee's facsimile machine or email address.

(By Personal Delivery) I personally delivered a copy of each document, or provided a copy of each document to a messenger and instructed him/her to personally deliver the copies, to each addressee by leaving copies at the address listed on the attached service list with a person in charge or in a conspicuous place.

XX _____
(Through the Court's CM/ECF System) Each document was filed through the Court's CM/ECF service and each party or the party's attorney is a registered user of that service. Immediately after filing, I received a Notice of Electronic Filing which indicated that all registered parties were served through the Court's CM/ECF service.

Executed this same day at San Diego, California.

Deborah M. Perlstein
Type or Print Name

/s/ Deborah M. Perlstein
Signature
(original signature retained by attorney Jonathan L. Gerber)

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