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 11 GENESIS LOGISTICS, INC.

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21 Attorneys for Plaintiff  
 22 DERRICK WELCH

23 UNITED STATES DISTRICT COURT  
 24 NORTHERN DISTRICT OF CALIFORNIA

25 DERRICK WELCH,  
 26  
 27 Plaintiff,  
 28 vs.  
 29 GENESIS LOGISTICS, INC., and  
 30 DOES 1 through 20,  
 31 Defendants.

Case No. 4:13-CV-05465-EMC

*[Removed from Alameda Superior Court Case No.: RG 13701538]*

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

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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)

**Private Process:**

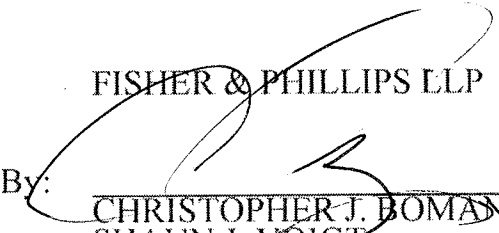
- Private ADR (*please identify process and provider*) \_\_\_\_\_

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: July 1, 2014


Date: February 5, 2014

FISHER & PHILLIPS LLP

By:  \_\_\_\_\_  
 CHRISTOPHER J. BOMAN  
 SHAUN J. VOIGT  
 Attorneys for Defendant  
 GENESIS LOGISTICS, INC.

Date: February 5, 2014

WINTON STRAUSS LAW GROUP

By:  \_\_\_\_\_  
 JAY R. STRAUSS  
 DAVID C. WINTON  
 Attorneys for Plaintiff,  
 DERRICK WELCH

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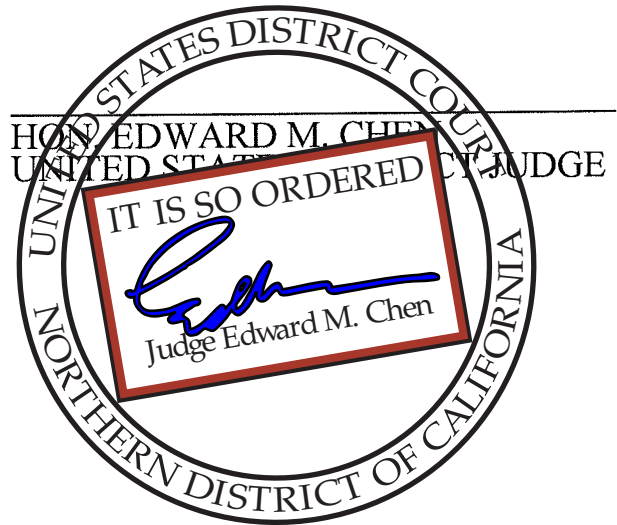
~~[PROPOSED]~~ ORDER

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

ORDERED. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

2/10/14

Date: \_\_\_\_\_



1 **CERTIFICATE OF SERVICE**

2 I, the undersigned, am employed in the County of Orange, State of  
3 California. I am over the age of 18 and not a party to the within action; am  
employed with the law offices of Fisher & Phillips LLP and my business address  
is 2050 Main Street, Suite 1000, Irvine, California 92614.

4 On **February 5, 2014**, I served the foregoing document entitled  
5 **STIPULATION AND [PROPOSED] ORDER SELECTING ADR**  
6 **PROCESS**, , on all the appearing and/or interested parties in this action by  
placing  *the original*  *a true copy* thereof enclosed in sealed envelope(s)  
addressed as follows:

7 **SEE ATTACHED MAILING LIST**

8  **[by MAIL]** I am readily familiar with the firm's practice of collection and  
9 processing correspondence for mailing. Under that practice it would be  
10 deposited with the U.S. Postal Service on that same day with postage  
thereon fully prepaid at Irvine, California in the ordinary course of  
11 business. I am aware that on motion of the party served, service is  
presumed invalid if postage cancellation date or postage meter date is more  
than one day after date of deposit for mailing this affidavit.

12  **[by ELECTRONIC SUBMISSION]** I served the above listed  
13 document(s) described via the United States District Court's Electronic  
Filing Program on the designated recipients via electronic transmission  
14 through the CM/ECF system on the Court's website. The Court's CM/ECF  
system will generate a Notice of Electronic Filing (NEF) to the filing party,  
15 the assigned judge, and any registered users in the case. The NEF will  
constitute service of the document(s). Registration as a CM/ECF user  
16 constitutes consent to electronic service through the court's transmission  
facilities.

17  **[by PERSONAL SERVICE]** I caused to be delivered by messenger such  
18 envelope(s) by hand to the office of the addressee(s). Such messenger is  
over the age of eighteen years and not a party to the within action and  
19 employed with ASAP Legal Solution Attorney Services, LLC, whose  
business address is 404 W. 4<sup>th</sup> Street, Suite B, Santa Ana, CA 92701.

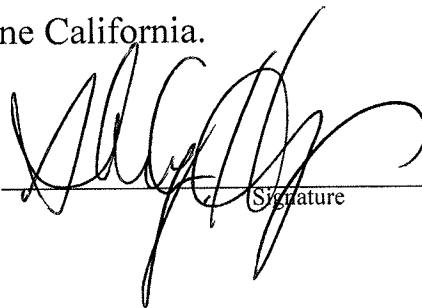
20  **FEDERAL** - I declare that I am employed in the office of a member of  
21 the bar of this Court at whose direction the service was made.

22 Executed on **February 5, 2014** at Irvine California.

23 Sherry L. Harper

24 Print Name

25 By:

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27 Signature

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MAILING LIST  
*Derrick Welch v. Genesis Logistics, Inc.*  
USDC Northern District case no. 4:13-CV-05465-EMC

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|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|
| Jay R. Strauss, Esq.<br>David C. Winton, Esq.<br>WINTON STRAUSS LAW GROUP<br>2 Ranch Drive, Suite 8<br>Novato, CA 94945<br>(855) 576-1776 ext 101 Fax: (855)<br>576-1776 | Attorney for Plaintiff,<br>DERRICK WELCH |
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