

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

MARCUS A. ROBERTS, KENNETH A. CHEWEY, ASHLEY M. CHEWEY, AND JAMES KRENN, on behalf of themselves and all others similarly situated,

Plaintiffs,

v.

AT&T MOBILTY LLC,

Defendant.

Case No. 3:15-cv-3418-EMC

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

Honorable Edward M. Chen

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*): Private mediation with the provider to be mutually agreed to by the parties.

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: Within 90 days of any Court ruling denying Defendant's pending Motion to Compel Arbitration.

Dated: December 14, 2015

By: /s/ Michael W. Sobol  
Michael W. Sobol  
Attorney for Plaintiff

Dated: December 14, 2015

By: /s/ Donald M. Falk  
Donald M. Falk  
Attorney for Defendant

## ATTESTATION

I, Michael W. Sobol, am the ECF user whose identification and password are being used to file this Stipulation and [Proposed] Order Selecting ADR Process. I hereby attest that Donald M. Falk has concurred in this filing.

/s/ Michael W. Sobol  
Michael W. Sobol

## ~~[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: 12/15/15



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

