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8 and NOJIXA ANACLETO

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15 Attorneys for Defendant  
ALLSTATE INSURANCE COMPANY

17 UNITED STATES DISTRICT COURT  
18 FOR THE NORTHERN DISTRICT OF CALIFORNIA

19 GABRIELITA ANACLETO, an individual,  
JUAN GUTIERREZ, an individual, and  
20 SAMUEL JOHNS as guardian ad litem for  
NOJIXA ANACLETO, an individual,

21 Plaintiffs,

22 vs.

23 ALLSTATE INSURANCE COMPANY, an  
24 Illinois company, and Does 1 through 10,

25 Defendants.

No. 16-cv-05163-JST

**STIPULATION AND ~~PROPOSED~~  
ORDER REGARDING APPOINTMENT  
OF DISCOVERY REFEREE**

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Pursuant to Federal Rule of Civil Procedure 53(a)(1)(A), the parties to the above-titled action jointly submit this Stipulation and [Proposed] Order Regarding Appointment of a discovery referee:

1. The parties stipulate to the appointment of Hon. John M. True (Ret.) with ADR Services, Inc. as the discovery referee in this matter to resolve evidentiary objections and control the conduct of the depositions of Gabrielita Anacleto, Juan Gutierrez and Nojixa Anacleto (the “Discovery Referee”).

2. As to the deposition of Nojixa Anacleto, the parties agree the conduct of the deposition will be further subject to any agreement of the parties or orders of the Court.

3. The Discovery Referee shall resolve any evidentiary objections that arise during the course of the depositions of Gabrielita Anacleto, Juan Gutierrez, and Nojixa Anacleto, and shall have the authority to control the conduct of all attendees at their depositions.

4. The Discovery Referee shall be compensated at his rate of \$550 per hour and for expenses relating to his activities as Discovery Referee. The parties agree to split these costs equally.

5. This Stipulation shall remain in effect until the above-referenced depositions have been completed.

IT IS SO STIPULATED.

Dated: July 31, 2017

KERLEY SCHAFFER LLP

By /s/ Sarah Auten  
SARAH AUTEN

Attorneys for Plaintiffs  
GABRIELITA ANACLETO, JUAN GUTIERREZ,  
and NOJIXA ANACLETO

Dated: July 31, 2017

DENTONS US LLP

By /s/ Jeffry Butler  
JEFFRY BUTLER

Attorneys for Defendant  
ALLSTATE INSURANCE COMPANY

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FILER'S ATTESTATION:

Pursuant to Local Rule 5-1(i)(3) regarding signatures, I attest under penalty of perjury that the concurrence in the filing of this document has been obtained from its signatories.

Dated: July 31, 2017

By: /s/ Jeffry Butler  
JEFFRY BUTLER

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~~PROPOSED~~ ORDER

Based on the parties' stipulation, it is hereby ordered that:

1. Hon. John M. True (Ret.) with ADR Services, Inc. is assigned as the discovery referee in this matter to resolve evidentiary objections and control the conduct of the depositions of Gabrielita Anacleto, Juan Gutierrez, and Nojixa Anacleto (the "Discovery Referee").

2. As to the deposition of Nojixa Anacleto, the parties agree the conduct of the deposition will be further subject to any agreement of the parties or orders of the Court.

3. The Discovery Referee shall resolve any evidentiary objections that arise during the course of the depositions of Gabrielita Anacleto, Juan Gutierrez, and Nojixa Anacleto, and shall have the authority to control the conduct of all attendees at their depositions.

4. The Discovery Referee shall be compensated at his rate of \$550 per hour and for expenses relating to his activities as Discovery Referee. The parties agree to split these costs equally.

IT IS SO ORDERED.

Dated:

