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5 Attorney for Plaintiff
 ORVILLE MEAUX

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 7
 8 UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT
 9 OF THE STATE OF CALIFORNIA

10
 11 ORVILLE MEAUX,
 12 Plaintiff,

Case No. C 04-04444 CW

13 v.

(Consolidated with
 Case No. C09-02447 CW)
 ORDER DENYING
 STIPULATION ~~AND~~
~~(PROPOSED) ORDER~~
 TO BE EXCUSED FROM THE
 ADR PROCESS,
 EARLY NEUTRAL EVALUATION

14 NORTHWEST AIRLINES, INC., a Delaware
 15 Corporation, PROFESSIONAL FLIGHT
 ATTENDANTS ASSOCIATION, a labor
 16 organization, TRANSPORT WORKERS
 UNION, a labor organization, ASSOCIATION
 17 OF FLIGHT ATTENDANTS-
 COMMUNICATIONS WORKERS OF
 18 AMERICA, a labor organization, and DOES 1
 to 20, inclusive,

Hon. Claudia Wilken

19 Defendants.
 20 _____ /

21 WHEREAS, this is a consolidated action, the more recent action (C09-02447 CW) having
 22 been filed on June 3, 2009.

23 WHEREAS, the Court ordered ADR process, Early Neutral Evaluation, was ordered by
 24 the Court in the 2009 case on October 2, 2009, before the two Defendant unions had appeared in
 25 the action.

26 WHEREAS, Plaintiff had agreed in the Joint Case Management Statement filed in the
 27

1 2009 action to Early Neutral Evaluation when it was contemplated that the two Defendant unions
2 would be parties to this action and would participate in the ADR process.

3 WHEREAS, an Early Neutral Evaluation is scheduled to occur on February 4, 2010
4 before Sue Stott.

5 WHEREAS, while the two Defendant unions currently remain in this action, Plaintiff
6 now intends to dismiss the two Defendant unions from this action, leaving Defendant Northwest
7 Airlines as the sole Defendant subject to participate in the Early Neutral Evaluation.

8 WHEREAS, Plaintiff and Defendant Northwest Airlines participated in the ADR process
9 in the earlier case (C 04-04444 CW) when the Court ordered the parties to Private Mediation by
10 Order dated March 8, 2005. The ADR Session, Mediation was held on August 16, 2005 but the
11 parties were not able to reach a resolution of the matter.

12 WHEREAS, Plaintiff Orville Meaux does not now agree that Early Neutral Evaluation is
13 a suitable method of ADR for this case as the remaining parties to the consolidated action,
14 Plaintiff Orville Meaux and Defendant Northwest Airlines, have not been able to resolve this
15 dispute through alternative means in the past. Plaintiff anticipates that an Early Neutral
16 Evaluation with Defendant Northwest will be a costly and time-consuming process with little
17 likelihood of resolving the matter.

18 WHEREAS, counsel for Defendant Northwest is willing to participate in the Early
19 Neutral Evaluation as ordered, but does not oppose Plaintiff's request to cancel the scheduled
20 Early Neutral Evaluation which Plaintiff does not believe will be productive.

21 WHEREFORE, counsel for Plaintiff and Defendant Northwest Airlines agree that this
22 action may be withdrawn from the ADR process and the Early Neutral Evaluation Session
23 scheduled for February 4, 2010 may and should be canceled.

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1 SO STIPULATED.

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DUANE & SELTZER

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4 Dated: January 20, 2010

_____/s/
DEAN SCHMIDT
Attorneys for Plaintiff
Orville Meaux

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OGLETREE, DEAKINS et al.

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9 Dated: January 20, 2010

_____/s/
LINDA GOLDMAN
Attorneys for Defendant
Northwest Airlines, Inc.

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**ORDER
STIPULATION RE CASE MANAGEMENT CONFERENCE
NOT APPEARING**

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The above Stipulation, having been read and GOOD CAUSE ~~APPEARING~~

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THEREFORE, IT IS HEREBY ORDERED ADJUDGED AND DECREED that the Early
shall proceed as scheduled.

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Neutral Evaluation scheduled for February 4, 2010 ~~is cancelled and the case shall be withdrawn~~

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~~from the ADR process.~~

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1/21/10



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Dated: _____

Honorable Claudia Wilken

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