

1 BOIES, SCHILLER & FLEXNER LLP
 2 DAVID W. SHAPIRO (219265)
 3 KIERAN P. RINGGENBERG (208600)
 4 BEKO O. REBLITZ-RICHARDSON (238027)
 5 1999 Harrison Street, Suite 900
 6 Oakland, CA 94612
 Telephone: (510) 874-1000
 Facsimile: (510) 874-1460
 Email: dshapiro@bsfllp.com
kringgenberg@bsfllp.com
brichardson@bsfllp.com

7 Attorneys for Plaintiffs Geoffrey Baker and
 8 Elizabeth Mullen

9 **UNITED STATES DISTRICT COURT**
 10 **NORTHERN DISTRICT OF CALIFORNIA**

11 **GEOFFREY BAKER and ELIZABETH**
 12 **MULLEN,**

13 Plaintiffs,

14 v.

15 **ARKANSAS BLUE CROSS AND BLUE**
 16 **SHIELD, BLUE CROSS AND BLUE**
 17 **SHIELD OF FLORIDA, INC., BLUE**
 18 **CROSS AND BLUE SHIELD OF**
 19 **MASSACHUSETTS, INC., BLUE CROSS**
 20 **AND BLUE SHIELD OF NORTH**
 21 **CAROLINA, HEALTH CARE SERVICE**
 22 **CORPORATION, B.P. INFORMATICS**
 23 **LLC, MICHAEL BROWN, PETER**
 24 **GOLDBACH, MICHAEL NEWMAN,**
 25 **LAURA TUMPERI, and CHRISTOPHER**
 26 **WOODFIN,**

27 Defendants.

STIPULATION AND ORDER SELECTING
ADR PROCESS

Case No. C-08-3974 (SBA)

Hearing Date: February 3, 2009

Hearing Time: 1:00 pm

1 Counsel report that, after a teleconference with Mr. Howard Herman of the Court's
2 ADR program, they have reached the following stipulation pursuant to Civil L.R. 16-8 and
3 ADR L.R. 3-5:

4 The parties agree to participate in Mediation pursuant to ADR L.R. 6. The parties agree
5 to hold the ADR session within 90 days from the date of the order referring the case to an ADR
6 process unless further time is agreed to by the parties and/or approved by the Court.

7
8 DATED: February 2, 2009

BOIES, SCHILLER & FLEXNER LLP

9
10 By: /s/

David W. Shapiro
Kieran P. Ringgenberg
Beko O. Reblitz-Richardson

11
12
13 1999 Harrison Street, Suite 900
Oakland, CA 94612
14 Tel: (510) 874-1000
Fax: (510) 874-1460

15 Attorneys for Plaintiffs

16
17 DATED: February 2, 2009

BERGESON, LLP

18
19 By: /s/

Caroline McIntyre

20
21
22 Attorneys for Defendants BLUE CROSS AND
BLUE SHIELD OF FLORIDA, INC., BLUE
23 CROSS AND BLUE SHIELD OF
MASSACHUSETTS, INC., BLUE CROSS
24 AND BLUE SHIELD OF NORTH
CAROLINA, and HEALTH CARE SERVICE
25 CORPORATION

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

DATED: February 2, 2009

WILSON SONSINI GOODRICH & ROSATI
Professional Corporation

By: /s/
Ignacio E. Salceda

Attorneys for Defendants B.P. INFORMATICS
LLC, MICHAEL BROWN, PETER
GOLDBACH, MICHAEL NEWMAN, LAURA
TUMPERI, and CHRISTOPHER WOODFIN

DATED: February 2, 2009

FOLEY & LARDNER LLP

By: /s/
Eileen R. Ridley
Page R. Barnes
Michael A. Naranjo
Patrick T. Wong

Attorneys For Defendant ARKANSAS BLUE
CROSS AND BLUE SHIELD

ORDER

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Pursuant to the Stipulation above, the captioned matter is hereby referred to Mediation. The Deadline for the ADR session is 90 days from the date of this order.

Dated: 2/3/09


UNITED STATES DISTRICT JUDGE

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Attestation of Filer

The signatories to this document are Caroline McIntyre, Ignacio E. Salceda, and Eileen R. Ridley, and I have obtained their concurrence to file this document on their behalves.

BOIES, SCHILLER & FLEXNER LLP

By: /s/

David W. Shapiro
Kieran P. Ringgenberg
Beko O. Reblitz-Richardson

1999 Harrison Street, Suite 900
Oakland, CA 94612
Tel: (510) 874-1000
Fax: (510) 874-1460

Attorneys for Plaintiffs