

1 **MUSICK, PEELER & GARRETT LLP**
 2 ATTORNEYS AT LAW
 3 ONE WILSHIRE BOULEVARD, SUITE 2000
 4 LOS ANGELES, CALIFORNIA 90017-3383
 5 TELEPHONE: 213-629-7907
 6 FACSIMILE 213-624-1376

7
 8 Michael W. Monk (State Bar No. 069719)
 9 *m.monk@mpglaw.com*
 10 Elaine M. Vukadinovich (State Bar No. 187315)
 11 *e.vukadinovich@mpglaw.com*

12 Attorneys for NORTH BAY REGIONAL CENTER

13 **UNITED STATES DISTRICT COURT**
 14 **NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION**

15 SERVICE EMPLOYEES INTERNATIONAL
 16 UNION, LOCAL 1021,

17 Petitioner,

18 vs.

19 NORTH BAY REGIONAL CENTER,

20 Respondent.

CASE No. C08-04279 CW

**STIPULATION AND ORDER TO
 EXEMPT THIS ACTION FROM THE
 ADR PROCESS**

21 THE PARTIES IN THIS ACTION, BY AND THROUGH THEIR RESPECTIVE
 22 ATTORNEYS, HEREBY STIPULATE AS FOLLOWS:

23 On September 11, 2008, this action was assigned to the Alternative Dispute Resolution
 24 (ADR) Multi-Option Program governed by ADR Local Rule 3. After familiarizing themselves
 25 with that rule and the Court’s ADR material, the Parties agree that no ADR process is likely to
 26 deliver benefits to the Parties sufficient to justify the resources consumed by its use. Specifically,
 27 the Parties agree that because this matter involves a Petition to Compel Arbitration of Labor
 28 Management Dispute under the terms of the applicable collective bargaining agreement, it is more
 amenable to a single motion process where the decision of the Judge is binding on the Parties.

For these reasons, therefore, the Parties respectfully request that the Court exempt this
 action from the ADR process.

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It is further stipulated and agreed that in the interest of time, this Stipulation may be signed in faxed counterparts, which shall have the same force and effect as an original signature.

DATED: November 6, 2008 MUSICK, PEELER & GARRETT LLP

By: _____
Elaine M. Vukadinovich
Attorneys for
North Bay Regional Center

DATED: November 6, 2008 WEINBERG, ROGER & ROSENFELD LLP

By: _____
Manuel Boigues
Attorneys for
Service Employees International Union, Local
1021

IT IS ORDERED THAT:

The Parties and this action are exempt from the ADR process and this action may proceed immediately to the litigation process.



DATED: Nov. 17, 2008 By: _____
Judge for the Northern District of California