

1 STEPHEN M. HAYES (SBN 83583)

shayes@hayesdavis.com

2 JAMIE A. RADACK (SBN 221000)

jraddock@hayesdavis.com

3 HAYES DAVIS BONINO ELLINGSON McLAY & SCOTT, LLP

203 Redwood Shores Pkwy., Ste. 480

4 Redwood City, California 94065

Telephone: 650.637.9100

5 Facsimile: 650.637.8071

6 Attorneys for Defendants

NATIONAL UNION FIRE INSURANCE COMPANY OF

7 PITTSBURGH, PA, AMERICAN INTERNATIONAL GROUP, INC. and

AIG DOMESTIC CLAIMS, INC.

8 ROBERT R. MOORE (SBN 113818)

rmoore@allenmatkins.com

9 MICHAEL J. BETZ (SBN 196228)

mbetz@allenmatkins.com

10 NICHOLAS A. SUBIAS (SBN 228789)

nsubias@allenmatkins.com

11 ALLEN MATKINS LECK GAMBLE MALLORY & NATSIS, LLP

Three Embarcadero Center

12 San Francisco, California 94111

13 Telephone: 415.837.1515

14 Facsimile: 415.837.1516

15 Attorneys for Plaintiffs

16 FRED K. KESLER & ASSOCIATES, INC. and FRED K. KESLER

17 UNITED STATES DISTRICT COURT

18 NORTHERN DISTRICT OF CALIFORNIA

19 FRED K. KESLER & ASSOCIATES, INC., a
20 California Corporation, and FRED K. KESLER,

21 Plaintiffs,

22 v.

23 NATIONAL UNION FIRE INSURANCE
24 COMPANY OF PITTSBURGH, PA, a
25 Pennsylvania Corporation, AMERICAN
INTERNATIONAL GROUP, INC., a
26 Corporation, AIG DOMESTIC CLAIMS, INC., a
27 Corporation, and DOES 1 through 50,

28 Defendants.

CASE NO. C09-0757 SBA

**STIPULATION AND ~~PROPOSED~~
ORDER SELECTING PRIVATE
MEDIATION AS ADR PROCESS**

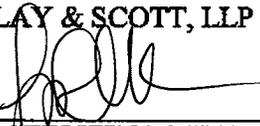
1 Counsel have met and conferred regarding ADR pursuant to Civil L.R. 16-8 and
2 ADR L.R. 3-5 and hereby stipulate to participate in PRIVATE Mediation pursuant to ADR
3 L.R. 6. The parties further agree to complete PRIVATE Mediation prior to or within 90
4 days after the date of the case management conference scheduled for September 23, 2009.

5 Dated: July 15, 2009

ALLEN MATKINS LECK GAMBLE
MALLORY & NATSIS, LLP

7
8 By 
9 ROBERT R. MOORE
10 MICHAEL J. BETZ
11 NICHOLAS A. SUBIAS
12 Attorneys for Plaintiffs
13 FRED K. KESLER & ASSOCIATES, INC. and
14 FRED K. KESLER

13 Dated: July 15 2009

HAYES DAVIS BONINO ELLINGSON
McLAY & SCOTT, LLP
14
15 By 
16 STEPHEN M. HAYES
17 JAMIE A. RADACK
18 Attorneys for Defendant
19 NATIONAL UNION FIRE INSURANCE
20 COMPANY OF PITTSBURGH, PA,
21 AMERICAN INTERNATIONAL GROUP, INC.
22 and AIG DOMESTIC CLAIMS, INC.

20 **[PROPOSED] ORDER**

21 Pursuant to the Stipulation above, the captioned matter is hereby referred to PRIVATE
22 Mediation. The parties shall complete PRIVATE Mediation within 90 days after the
23 September 23, 2009 case management conference.

24 **IT IS SO ORDERED**

25
26 Dated: 7/16/09


27 Honorable Sandra Brown Armstrong
28 UNITED STATES DISTRICT COURT JUDGE