

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Lima

CASE NO. 09-03561 CW

Plaintiff(s),

v.

STIPULATION AND ~~PROPOSED~~
ORDER SELECTING ADR PROCESS

American Home Mortgage Servicing, Inc., et
al.

Defendant(s).

_____ /

Counsel report that they have met and conferred regarding ADR and have reached the following stipulation pursuant to Civil L.R. 16-8 and ADR L.R. 3-5:

The parties agree to participate in the following ADR process:

Court Processes:

- Non-binding Arbitration (ADR L.R. 4)
- ✓ Early Neutral Evaluation (ENE) (ADR L.R. 5)
- Mediation (ADR L.R. 6)

(Note: Parties who believe that an early settlement conference with a Magistrate Judge is appreciably more likely to meet their needs than any other form of ADR, must participate in an ADR phone conference and may not file this form. They must instead file a Notice of Need for ADR Phone Conference. See Civil Local Rule 16-8 and ADR L.R. 3-5)

Private Process:

Private ADR (please identify process and provider) _____

The parties agree to hold the ADR session by:

- ✓ the presumptive deadline *(The deadline is 90 days from the date of the order referring the case to an ADR process unless otherwise ordered.)*

other requested deadline _____

Dated: _____

Paul McCarthy

Attorney for Plaintiff

Dated: 11/03/09 _____

William Idleman
Attorney for Defendant

When filing this document in ECF, please be sure to use the appropriate ADR Docket Event, e.g., "Stipulation and Proposed Order Selecting Early Neutral Evaluation."

[PROPOSED] ORDER

Pursuant to the Stipulation above, the captioned matter is hereby referred to:

- Non-binding Arbitration
- ✓ Early Neutral Evaluation (ENE)
- Mediation
- Private ADR

Deadline for ADR session

- ✓ 90 days from the date of this order.
- other

IT IS SO ORDERED.

11/12/09

Dated: _____



DISTRICT
UNITED STATES MAGISTRATE JUDGE

1 PROOF OF SERVICE

2 I, Gretchen Grant, declare as follows:

3 I am employed in the County of Orange, State of California. I am over the age of eighteen (18)
4 and not a party to the within action. My business address is 4665 MacArthur Court, Suite 280, Newport
5 Beach, California 92660. I am readily familiar with the practices of Wright, Finlay & Zak, LLP, for
6 collection and processing of correspondence for mailing with the United States Postal Service. Such
7 correspondence is deposited with the United States Postal Service the same day in the ordinary course of
8 business.

9 On November 3, 2009, I served the within **STIPULATION AND [PROPOSED] ORDER**
10 **SELECTING ADR PROCESS** on all interested parties in this action as follows:

11 [X] by placing [] the original [X] a true copy thereof enclosed in sealed envelope(s)
12 addressed as follows:

13 Paul McCarthy
14 2150 Folsom, #7A
15 San Francisco, CA 94110
16 (415) 948-1056

17 [X] (BY MAIL SERVICE) I placed such envelope(s) for collection to be mailed on this
18 date following ordinary business practices.

19 [] (BY PERSONAL SERVICE) I caused to be delivered such envelope by hand delivered to
20 the office of the addressee.

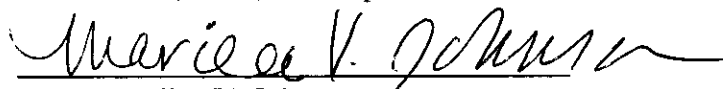
21 [] (BY FACSIMILE) The facsimile machine I used, with telephone no. (949) 477-9200,
22 complied with California Rules of Court, Rule 2003, and no error was reported by the
23 machine. Pursuant to California Rules of Court, Rule 2006(d), I caused the machine to
24 print a transmission record of the transmission, a copy of which is attached to the original
25 Proof of Service.

26 [] (BY FEDERAL EXPRESS - NEXT DAY DELIVERY) I placed true and correct copies
27 of thereof enclosed in a package designated by Federal Express with the delivery fees
28 provided for.

[] (State) I declare under penalty of perjury under the laws of the State of California that the
foregoing is true and correct.

[X] (Federal) I declare under penalty of perjury under the laws of the United States of
America that the foregoing is true and correct.

Executed on November 3, 2009, at Newport Beach, California.

26 
27 Marilee V. Johnson