

FROM

(FRI) AUG 27 2010 10:00/ST. 9:59/No. 750000491 P 2

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13 Attorneys for Defendant
 14 UNITED STATES OF AMERICA

15 UNITED STATES DISTRICT COURT
 16 NORTHERN DISTRICT OF CALIFORNIA
 17 OAKLAND DIVISION

19 YUEN HAN LI and JUDY YUEN LI d.b.a.)
 GOLDEN WELL,)
 20 Plaintiff,)
 21 v.)
 22 UNITED STATES OF AMERICA,)
 23 Defendant.)
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No. C 10-02488 LB

**JOINT REQUEST FOR RELIEF FROM
 AUTOMATIC REFERRAL TO THE
 ADR MULTI-OPTION PROGRAM;
 [PROPOSED] ORDER**

25 Each of the undersigned certifies that he or she has read either the handbook entitled
 26 "Dispute Resolution Procedures in the Northern District of California," or the specified portions
 27 of the ADR Unit's Internet site <www.adr.cand.uscourts.gov>, discussed the available dispute
 28

JOINT REQUEST FOR RELIEF FROM AUTOMATIC REFERRAL TO THE ADR MULTI-OPTION
 PROGRAM; [PROPOSED] ORDER
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1 resolution options provided by the court and private entities, and considered whether this case
2 might benefit from any of them.

3 The parties agree that referral to a formal ADR process is unlikely to be beneficial
4 because this action is limited to plaintiff's request for judicial review of an administrative action
5 by the United States Department of Agriculture permanently disqualifying plaintiffs'
6 convenience store from participating in the Supplemental Nutrition and Assistance Program.
7 Given the substance of the action and the relief sought, it appears at this time that ADR is
8 unlikely to aid in the resolution of this case and may unnecessarily consume the court's time and
9 resources.

10 Accordingly, pursuant to ADR L.R. 3-3(c), the parties hereby stipulate and jointly request
11 that the case be removed from the ADR Multi-Option Program and that they be excused from
12 participating in the ADR phone conference and any further formal ADR process. If any party
13 subsequently determines that submission to the formal ADR process would be beneficial to the
14 efficient resolution of this matter, that party may request placement in one of the Court's ADR
15 programs at that time.

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DATED: 8/27/10

By:



KELLY T. SMITH
JOSE F. VERGARA
Attorneys for Plaintiffs

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MELINDA L. HAAG
United States Attorney

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DATED: 8/27/10

By:



NEILL T. TSENG
Assistant United States Attorney
Attorneys for Defendant

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~~PROPOSED~~ ORDER

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Pursuant to stipulation and to ADR L. R. 3-3(c), the parties are hereby removed from the

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JOINT REQUEST FOR RELIEF FROM AUTOMATIC REFERRAL TO THE ADR MULTI-OPTION
PROGRAM; ~~PROPOSED~~ ORDER
No. C 10-02488 LB 2

1 ADR Multi-Option Program and are excused from participating in the ADR phone conference
 2 and any further formal ADR process. Should any party subsequently determine that submission
 3 to the formal ADR process would be beneficial to the efficient resolution of this matter, that
 4 party may request placement in one of the Court's ADR programs at that time.

5 **SO ORDERED.**



8 DATED: 9/2/2010

9 HONORABLE LAUREL BEELER
 10 UNITED STATES DISTRICT JUDGE

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