

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

STEVE BALESTRIERI et al.

CASE NO. CV 10 3102

Plaintiff(s),

v.

MENLO PARK FIRE PROTECTION
DISTRICT

STIPULATION AND ~~PROPOSED~~
ORDER SELECTING ADR PROCESS

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:

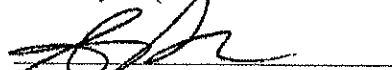
the presumptive deadline *(The deadline is 90 days from the date of the order referring the case to an ADR process unless otherwise ordered.)*

✓ other requested deadline February 4, 2011

Dated: 10/2/2010


Attorney for Plaintiff

Dated: October 7, 2010


Attorney for Defendant

~~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 2/4/11

IT IS SO ORDERED.

Dated: 10/27/10



UNITED STATES MAGISTRATE JUDGE

PROOF OF SERVICE BY MAIL

I am a citizen of the United States and employed in San Francisco County, California. I am over the age of eighteen years and not a party to the within-entitled action. My business address is 153 Townsend Street, Suite 520, San Francisco, California 94107. I am readily familiar with this firm's practice for collection and processing of correspondence for mailing with the United States Postal Service. On October 7, 2010, I placed with this firm at the above address for deposit with the United States Postal Service a true and correct copy of the within document(s):

STIPULATION AND [PROPOSED] ORDER SELECTING ADR PROCESS

in a sealed envelope, postage fully paid, addressed as follows:

Jaime Wasserstrom
Woodley & McGillivray
1101 Vermont Avenue, NW
Suite 1000
Washington, DC 20005

Thomas Aquinas Woodley
Mulholland & Hickey
1101 Vermont Avenue, NW
Suite 1000
Washington, DC 20005

Following ordinary business practices, the envelope was sealed and placed for collection and mailing on this date, and would, in the ordinary course of business, be deposited with the United States Postal Service on this date.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on October 7, 2010, at San Francisco, California.



Andrea S. Bolnick

143949.1 ME005-015

LIEBERT CASSIDY WHITMORE
A Professional Law Corporation
153 Townsend Street, Suite 520
San Francisco, CA 94107