

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

VICTOR FELIX, an individual on
behalf of himself and all others
similarly situated,

Plaintiff(s),

CASE NO. C 11 05005 SBA

v.

SAFEWAY, INC., a Delaware
corporation; and DOES 1 to 100,
inclusive,

Defendant(s).

STIPULATION AND ~~PROPOSED~~
ORDER SELECTING ADR PROCESS

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:

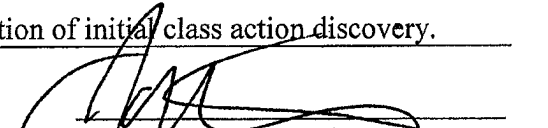
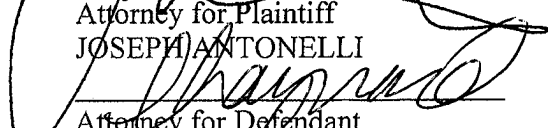
- Private ADR *(please identify process and provider)* The parties will meet and confer to select a mediator with wage and hour class action experience.

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 After completion of initial class action discovery.

Dated: 1-4-12

Dated: 1/4/12


 Attorney for Plaintiff
 JOSEPH ANTONELLI

 Attorney for Defendant
 LAURA E. HAYWARD

~~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.
After completion of
initial class action
- other discovery.

IT IS SO ORDERED.

Dated: 1/9/12


UNITED STATES DISTRICT JUDGE
SAUNDRA BROWN ARMSTRONG

Firmwide:105246036.1 001153.1604