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5 Attorneys for Defendants INDEPENDENT BREWERS  
 UNITED CORPORATION and NORTH AMERICAN  
 6 BREWERIES, INC.

7  
 8 UNITED STATES DISTRICT COURT  
 9 NORTHERN DISTRICT OF CALIFORNIA

11 SIMON PESCH,  
 12 Plaintiff,

13 v.

14 INDEPENDENT BREWERS UNITED  
 CORPORATION, NORTH AMERICAN  
 15 BREWERIES, INC., and DOES 1-20,  
 inclusive,  
 16 Defendants.

Case No. 4:13-cv-05317 DMR

**STIPULATION AND ~~PROPOSED~~  
 ORDER TO VACATE ADR REFERRAL**

Action Filed: October 11, 2013

18  
 19 This Stipulation and [Proposed] Order is entered into between Plaintiff SIMON  
 20 PESCH and Defendant INDEPENDENT BREWERS UNITED CORPORATION, NORTH  
 21 AMERICAN BREWERIES, INC. (collectively, the "Parties"), by and through their counsel  
 22 of record, as follows:

23 **STIPULATION**

24 WHEREAS, on February 12, 2014 the Parties jointly agreed to Court sponsored  
 25 mediation. On February 25, 2014, the ADR Case Administrator appointed Steven  
 26 Rosenberg as the Mediator and set the mediation session for April 17, 2014. The Parties  
 27 have met and conferred and subsequently agreed to private ADR process. The Parties  
 28 have selected J.A.M.S. neutral Michael J. Leob, Esq. to mediate the matter. Private

1 mediation is scheduled to take place on Saturday, April 19, 2014.

2 WHEREAS, the Parties request that the court vacate its referral to court process  
3 mediation before Mediator Steven Rosenberg.

4 IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.


5 DATED: April 4, 2014 LAW OFFICE OF RICHARD VAZNAUGH  
6 RICHARD J. VAZNAUGH

7 By: /s/ Richard J. Vaznaugh  
8 Attorneys for Plaintiff  
9 SIMON PESCH

10 DATED: April 4, 2014 COOK BROWN, LLP  
11 TERRY A. WILLS, ESQ.  
12 BRIAN D. BERTOSSA, ESQ.

13 By: /s/ Brian D. Bertossa  
14 Attorneys for Defendants  
15 INDEPENDENT BREWERS UNITED  
16 CORPORATION AND NORTH AMERICAN  
17 BREWERIES, INC.

18 PURSUANT TO STIPULATION, IT IS SO ORDERED.

19 DATED: April 8, 2014  
20   
21 UNITED STATES DISTRICT COURT  
22 MAGISTRATE JUDGE DONNA M. RYU