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10 Attorneys for Plaintiffs  
 11 ODIS MARTIN and LORETHA MARTIN

12 *\* Defendants' counsel listed after the caption*

13 UNITED STATES DISTRICT COURT  
 14 NORTHERN DISTRICT OF CALIFORNIA

15 ODIS MARTIN and LORETHA MARTIN,  
 16  
 17 Plaintiffs,

Case No. 4:16-cv-00776 HSG  
Civil Rights

18 v.

19 SERVICE HOSPITALITY, LLC, dba  
 20 CLARION HOTEL CONCORD; CHOICE  
 21 HOTELS INTERNATIONAL, INC.; LEISURE  
 HOTEL GROUP, LLC; and DOES 1-20,  
 Inclusive,

**STIPULATUION AND ORDER  
 REQUESTING BINDING ARBITRATION  
 ON ONLY THE ISSUE OF PLAINTIFFS'  
 ATTORENYS' FEES, LITIGATION  
 EXPENSES AND COSTS BEFORE  
 NEUTRAL ARBITER JUSTICE JAMES R.  
 LAMBDEN**

22 Defendants.

23  
 24 JEFFER MANGELS BUTLER & MITCHELL LLP  
 MARTIN H. ORLICK, SBN. 083908, mho@jmbm.com  
 25 STUART K. TUBIS, SBN 278278, skt@jmbm.com  
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1 Attorneys for Defendants  
2 SERVICE HOSPITALITY, LLC and  
3 LEISURE HOTEL GROUP, LLC

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13 Facsimile: (619) 696-7124

14 Attorneys for Defendant  
15 CHOICE HOTELS INTERNATIONAL, INC.

16 After engaging in a Settlement Conference on March 14, 2018, and subsequent settlement  
17 phone conferences with Magistrate Judge Robert M. Illman, Plaintiffs ODIS MARTIN and  
18 LORETHA MARTIN (“Plaintiffs”) and Defendants SERVICE HOSPITALITY, LLC, dba  
19 CLARION HOTEL CONCORD; CHOICE HOTELS INTERNATIONAL, INC.; LEISURE  
20 HOTEL GROUP, LLC (“Defendants”), by and through their respective counsel of record, hereby  
21 jointly stipulate and request that the Court order the parties to resolve the remaining issue of  
22 attorney fees, litigation expenses, and costs at binding arbitration for the following good cause and  
23 upon the following conditions:

24 1. The Parties have agreed and signed two Court Enforceable Settlement Agreements,  
25 one regarding injunctive relief, the other regarding damages;

26 2. To resolve this case in total and with finality, the parties have agreed to request that  
27 the Court order binding arbitration before Justice James R. Lambden, and that he act as neutral and  
28 binding arbiter of the remaining issues of attorney fees, litigation expenses and costs. The parties’  
agreement to submit to binding arbitration is premised on the conditions that:

a. ~~The decision by Justice Lambden will be adopted as an order by this Court;~~

b. No party will dispute the decision, or appeal it in any way;

c. For purposes of briefing the attorney fees, litigation, expenses and costs issue only,  
Defendants will stipulate that Plaintiffs are the prevailing parties in this case;

1 d. Justice Lambden shall hold a hearing on the matter on or before May 3, 2018 (45  
2 days from March 19, 2018), subject to this date being convenient for his schedule;

3 e. 30 days after Justice Lambden issues his decision, Defendant shall pay the damages  
4 as previously agreed plus any and all attorney fees, litigation expenses and costs awarded by the  
5 decision;

6 f. Plaintiff shall file the Arbiter's decision and both Court Enforceable Settlement  
7 Agreements at the same time for this Court to issue Orders on each, bringing this matter to a close.

8 IT IS SO STIPULATED.

9 Date: April 18, 2018

LAW OFFICES OF PAUL L. REIN

11 By: /s/ Paul L. Rein  
12 PAUL L. REIN, ESQ.  
13 Attorneys for Plaintiffs  
ODIS MARTIN and LORETHA MARTIN

14 Date: April 18, 2018

DERBY, McGUINNESS & GOLDSMITH, LLP

16 By: /s/ Steven L. Derby  
17 STEVEN L. DERBY, ESQ.  
18 Attorneys for Plaintiffs  
ODIS MARTIN and LORETHA MARTIN

19 Date: April 18, 2018

JEFFER MANGELS BUTLER & MITCHELL LLP

21 By: /s/ Martin H. Orlick  
22 MARTIN H. ORLICK, ESQ.  
23 Attorneys for Defendants  
SERVICE HOSPITALITY, LLC and  
LEISURE HOTEL GROUP, LLC

24 Date: April 18, 2018

GORDON & REES LLP

26 By: /s/ Laura G. Ryan  
27 LAURA G. RYAN, ESQ.  
28 Attorneys for Defendant  
CHOICE HOTELS INTERNATIONAL, INC.

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**FILER’S ATTESTATION**

Pursuant to Local Rule 5-1, I hereby attest that I, Paul L. Rein, attorney with the Law Offices of Paul Rein, received the concurrences of Martin Orlick and Laura Ryan in the filing of this document.

*/s/ Paul L. Rein*  
Paul L. Rein

**ORDER**

Pursuant to the stipulation of the parties, and for good cause shown, IT IS SO ORDERED.

DATED: April 26, 2018

  
Honorable Haywood S. Gilliam, Jr.  
U.S. District Court Judge