

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JOYCE AND FRED WRIGHT

No. C04-03710-PVT

Plaintiff,

**STIPULATION SELECTING ADR
PROCESS [ADR L.R. 3-5]**

v.

ADR CERTIFICATION

EMPLOYERS REINSURANCE CORP. and
ALLSTATE INSURANCE CO.
Defendant.

The parties stipulate to participate in the following ADR process:

Court Processes:

☐ Arbitration

☐ ENE

☒ Mediation

(Use space below to provide any information regarding timing of session, preferred subject matter expertise of neutral, or other issues.)

Defendant requests mediation after defendant's 12(b)(6) motion to dismiss is decided.

Private Process:

☐ Private ADR *(please identify process and provider)*

(For e-filers, please consult General Order No. 45, Section X regarding signatures.)

Dated: _____

See pages 2, 3, and 4.

Attorney for Plaintiff

Dated: 1/10/05

Elon S. Baldwin
Attorney for Defendant

STIPULATION SELECTING ADR PROCESS / ADR CERTIFICATION

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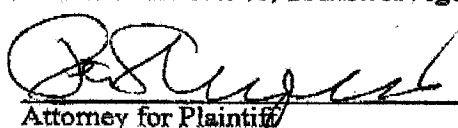
Defendant requests mediation after defendant's 12(b)(6) motion to dismiss is decided.

Private Process:

☐ Private ADR (please identify process and provider)

(For e-filers, please consult General Order No. 43, Section X regarding signatures.)

Dated: 1/10/2005


Attorney for Plaintiff

Dated: _____

Attorney for Defendant

STIPULATION SELECTING ADR PROCESS / ADR CERTIFICATION

REV. 4/01

SIGNATURE AND CERTIFICATION BY PARTIES AND LEAD TRIAL COUNSEL

Pursuant to Civ. L.R. 16 and ADR L.R. 3-5(b), each of the undersigned certifies that he or she has read either the handbook entitled "Dispute Resolution Procedures in the Northern District of California," or the specified portions of the ADR Unit's Internet site <www.adr.cand.uscourts.gov>, discussed the available dispute resolution options provided by the court and private entities, and considered whether this case might benefit from any of them.

(Note: This Certification must be signed by each party and its counsel. For e-filers, please consult General Order No. 45, Section X regarding signatures.)

Dated: _____

[Plaintiff]

Dated: _____

[Counsel for Plaintiff]

Dated: 1/6/05

[Defendant]

*Rebecca D. Shukla Claims Specialist
for Westport Insurance Company*

Dated: 1/10/05

[Counsel for Defendant]

Elm A. Baldwin

NOTE: You also must concurrently submit a copy of any ADR Forms filed to the ADR Unit by fax (415-522-4112), hand delivery (ADR Program, 450 Golden Gate Avenue, 16th Floor, Room 16-6892, San Francisco, CA) or as a PDF attachment by email to adr@cand.uscourts.gov.

STIPULATION SELECTING ADR PROCESS / ADR CERTIFICATION

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Dated: 1/10/05

Jayce A. Wright
[Plaintiff]

Dated: 1/10/05

[Signature]
[Counsel for Plaintiff]

Dated: 1/6/05

Richard P. Shubla, Claims Specialist
[Defendant]
Westport Insurance Company

Dated: 1/10/05

Eera S. Baldwin
[Counsel for Defendant]

NOTE: You also must concurrently submit a copy of any ADR Forum filed to the ADR Unit by fax (415-522-4112), hand delivery (ADR Program, 450 Golden Gate Avenue, 16th Floor, Room 16-6892, San Francisco, CA) or as a PDF attachment by email to adr@cand.uscourts.gov.

STIPULATION SELECTING ADR PROCESS / ADR CERTIFICATION

REV. 4/01

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3 **PROOF OF SERVICE**

4 I, V. Guthrie, the undersigned, declare as follows:

5 I am over the age of eighteen years and not a party to the within action. My business
6 address is 270 Grand Avenue at Lenox, Oakland, California 94610. Upon this day, the
7 following:

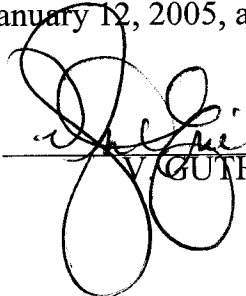
8 **1. STIPULATION SELECTING ADR PROCESS/ADR CERTIFICATION**

9 was served on all interested parties through their attorneys of record, by placing a true and
10 correct copy thereof, addressed as shown and as designated below:

11 Peter S. Myers
12 The Myers Law Firm, LLP
13 90 New Montgomery Street, Suite 905
14 San Francisco, CA 94105
15 Telephone: (415)896-1500
16 Facsimile: (415)896-5068
17 **Attorney for Plaintiffs**

18 **X VIA FIRST CLASS MAIL.** I caused such envelope to be deposited in the mail
19 at Oakland, California, in a sealed envelope with postage fully prepaid thereon. I
20 am readily familiar with the firm's business practice for collection and processing of
21 correspondence for mailing with the United States Postal Service. The mail is
22 deposited with the U.S. Postal Service on that same day in the ordinary course of
23 business. I am aware that on motion of the party served, service is presumed invalid
24 if the postal cancellation date or postage meter date is more than one day after the
25 date of deposit for mailing in this affidavit.

26 I declare under penalty of perjury that the foregoing is true and correct, and that this
27 declaration was executed on January 12, 2005, at Oakland, California.
28



GUTHRIE