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5
6 Attorneys for Plaintiff,
KB HOME NORTH BAY, INC.,
a California Corporation

8 **IN THE UNITED STATES DISTRICT COURT**
9 **IN AND FOR THE NORTHERN DISTRICT OF CALIFORNIA**
10 **SAN FRANCISCO FACILITY**

13 **KB HOME NORTH BAY, INC., a**
California Corporation, as successor in
14 interest to KAUFMAN AND BROAD OF
NORTHERN CALIFORNIA, INC.,
15
16 **Plaintiff,**

17 vs.
18 **NATIONWIDE MUTUAL INSURANCE**
COMPANY, an Ohio Corporation,
19
20 **Defendants.**

Case No.: C 04-00009 CRB ARB
STIPULATION FOR MEDIATION IN LIEU
OF ARBITRATION
ADR LOCAL RULE 4-2(C)(2)

21 Pursuant to ADR Local Rule 4-2(c)(2), IT IS HEREBY STIPULATED by and between
22 the parties to this action, Kevin R. Martin of McNichols, Randick O'Dea & Tooliatos
23 representing plaintiff KB HOME NORTH BAY, INC., and Hee Young Lee of Willoughby, Stuart
24 & Bcning representing defendant NATIONWIDE MUTUAL INSURANCE COMPANY, that
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1 the parties will participate in private or court ordered mediation in lieu of the reference to judicial
2 arbitration with a deadline for completion of the mediation to be ordered by the Court.

3 IT IS SO STIPULATED.

4 Date: June 28, 2004

McNICHOLS RANDICK O'DEA & TOOLIATOS, LLP

5 By: Kevin R. Martin
6 Kevin R. Martin
7 Attorney for KB Home North Bay, Inc.

8 Date: June 30, 2004

WILLOUGHBY, STUART & BENING

9 By: Hee Young Lee
10 Hee Young Lee
11 Attorney for Nationwide Mutual
12 Insurance Company.

13 **ORDER**

14 PURSUANT TO STIPULATION, IT IS SO ORDERED.

15 Dated: _____, 2004

16 _____
17 United States District Court/Magistrate

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