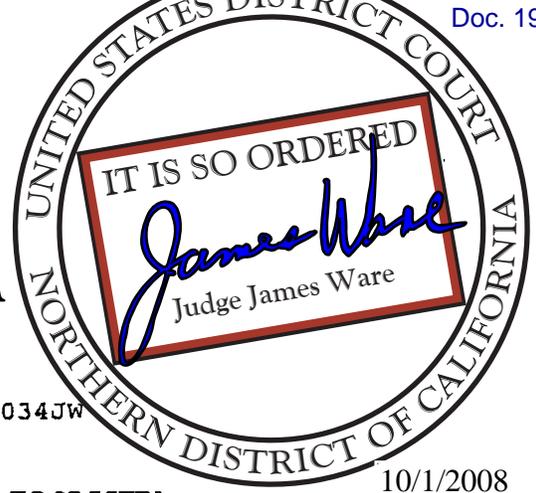


UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA



CASE NO. C-08-02034JW

Lynn Fawkes Plaintiff(s),

v.

STIPULATION AND [PROPOSED]
ORDER SELECTING ADR PROCESS

10/1/2008

Target Defendant(s).
Corporation _____/

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 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 _____

Dated: 9/30

[Signature]
Attorney for Plaintiff

Dated: 9/29/08

[Signature]
Attorney for Defendant

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CERTIFICATE OF SERVICE
(28 U.S.C. §1746)

I am employed in the County of Alameda, State of California. I am over the age of 18 years and not a party to the within action. My business address is 555 12th Street, Suite 1800, P. O. Box 12925, Oakland, California 94604-2925.

A copy of the below-named document was served via email in accordance with the ECF filing system in U.S. District Court - Northern to the below-named recipient(s):

1. STIPULATION AND [PROPOSED] ORDER SELECTING ADR PROCESS.

Jim W. Yu, Esq.
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3 Altarinda Road, #202
Orinda, CA 94563
(925) 254-1234 phone
(925) 254-0778 fax
jim@balamuth.com

Attorneys for Plaintiff

I declare under penalty of perjury that the foregoing is true and correct. Executed at Oakland, California on September 30, 2008.



ALEXINE BRAUN

25369\431214