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9 Attorneys for Plaintiffs
 10 FIBERTREK, INC.; LAWRENCE P. WAGNER;
 11 and JOHN G. PEERY

12 UNITED STATES DISTRICT COURT
 13 NORTHERN DISTRICT OF CALIFORNIA – SAN JOSE DIVISION

14 FIBERTREK, INC., a Nevada corporation;
 15 LAWRENCE P. WAGNER, an individual;
 16 and JOHN G. PEERY, an individual,

17 Plaintiffs,

18 v.

19 PREFERRED CORPORATE SERVICES,
 20 INC., a Colorado Corporation; DOUGLAS
 21 GREGG, an individual; TDG, LLC, a
 22 Colorado Limited Liability Company;
 23 NEIL SMITH, an individual and DOES 1-
 24 100, inclusive,

25 Defendants.

CASE NO.: 5:08-CV-03415 JW

26 **STIPULATION AND [PROPOSED]**
 27 **ORDER SELECTING ADR PROCESS**

28 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)

Ropers Majeski Kohn & Bentley
A Professional Corporation
San Jose

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A Professional Corporation
San Jose

1 (Note: Parties who believe that an early settlement conference with a Magistrate Judge is
2 appreciably more likely to meet their needs than any other form of ADR, must participate in an
3 ADR phone conference and may not file this form. They must instead file a Notice of Need for
4 ADR Phone Conference. See Civil Local Rule 16-8 and ADR L.R. 3-5)

5 **Private Process:**

6 Private ADR (please identify process and provider) _____
7


8 The parties agree to hold the ADR session by:

9 the presumptive deadline (The deadline is 90 days from the date of the order
10 referring the case to an ADR process unless otherwise ordered.)

11 other requested deadline: 120 days from the date of this order.
12

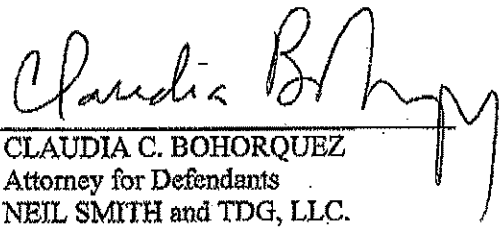
13 Dated: November 12, 2008

ROPERS, MAJESKI KOHN & BENTLEY

14 By: 
15 DOUGLAS VIDAL CIELO
16 BRIAN M. AFFRONTI
17 Attorneys for Plaintiffs

18 Dated: 11/12/08

LAW OFFICES OF CLAUDIA C. BOHORQUEZ

19 By: 
20 CLAUDIA C. BOHORQUEZ
21 Attorney for Defendants
22 NEIL SMITH and TDG, LLC.
23

24 Dated: _____

25 By: _____
26 DOUGLAS GREGG
27 Defendant In Pro Per
28

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ROPER, MAJESKI, KOHN & BENTLEY

14 By: 
15

DOUGLAS WIDAL CIELO
BRIAN M. AFFRONTI
Attorneys for Plaintiffs

16 Dated: _____

LAW OFFICES OF CLAUDIA C. BOHORQUEZ

17 By: _____
18

CLAUDIA C. BOHORQUEZ
Attorney for Defendants
NEIL SMITH and TDG, LLC.

19 Dated: 11/13/08
20

21 By: 
22

DOUGLAS GREGG
Defendant In Pro Per

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ORDER

Pursuant to the Stipulation above, the captioned matter is hereby referred to:

- Non-binding Arbitration
- Early Neutral Evaluation (ENE)
- Mediation
- Private ADR

Deadline for ADR session:

- 90 days from the date of this order.
- other: 120 days from the date of this order.

IT IS SO ORDERED.

Dated: November 25, 2008


UNITED STATES DISTRICT JUDGE