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13 **Attorneys for Plaintiffs**

14 **UNITED STATES DISTRICT COURT**  
 15 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
 16 **SAN JOSE DIVISION**

17 **YU-SZE YEN, et. al,**  
 18 **Plaintiffs,**

19 **v.**

20 **RONALD BUCHHOLZ, et. al.,**  
 21 **Defendants.**

22 **CASE NUMBER: C-08-03535 RMW**

23 **STIPULATION/AGREEMENT AND**  
24 **[ ] ORDER RE SELECTION OF**  
25 **MEDIATOR**

26 **Judge: Hon. Ronald M. Whyte**  
27 **Courtroom: 6 (4<sup>th</sup> Floor)**

28 **Complaint Filed: July 23, 2008**

**Trial Date: None**

The parties, by and through their respective counsel, have agreed to the selection of Thomas Denver as the mediator in this case and ask the Court to enter an order accordingly.

**BACKGROUND TO THIS STIPULATION.**

On July 20, 2012 and pursuant to Case Management Proceedings and in accord with earlier proceedings, it was agreed this matter would proceed to mediation through the Court's ADR program. The parties were given three weeks to agree upon a mediator or, if no agreement was made, to submit respective proposals with the Court to make a selection.

The parties have agreed to Thomas Denver serving as the mediator and counsel for the parties will undertake to coordinate further proceedings with Mr. Denver in accordance with the

1 Court's ADR program and related rules.

2 Mr. Denver has confirmed willingness and ability to serve (confirmation via phone call  
3 with Steven Levy on August 9, 2012; Steven Levy having advised all counsel by email; attested  
4 to as inherently part of and via signature of Steven Levy below).

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6 **STIPULATION**  
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8 The parties, by and through their respective counsel, agree and stipulate as follows and  
9 ask the Court to enter it's Order accordingly;

- 10 1. Thomas H. R. Denver shall serve as the mediator in this matter;
- 11 2. Mediation shall proceed in accordance with the Court's Alternative Dispute  
12 Resolution (ADR) Multi-Option Program and the rules and guidelines attendant  
13 thereto; and
- 14 3. That to further expedite proceedings, this Stipulation may be executed in multiple  
15 counterparts and by fax or digitally equivalent signatures.

16  
17 Dated: August 10, 2012 /s/ \_\_\_\_\_  
18 Steven R. Levy, Attorney for Plaintiffs

19 Dated: August 10, 2012 /s/ \_\_\_\_\_  
20 Law Offices of Steven M. Bangerter  
21 By: Daniel P. Wilde  
22 Attorneys for Defendants, PASTOR WILLIAM E.  
BUCHHOLZ, and FAMILY COMMUNITY CHURCH, a  
California corporate entity

23 Dated: August 13, 2012 /s/ \_\_\_\_\_  
24 Pinnacle Law Group, LLP  
25 By: Andrew August  
26 Attorneys for Defendants, Ronald Buchholz, Charice  
Fischer, Solomon Capital, Inc., Equity Enterprises, Inc., et.  
al.

27 **[ ] ORDER**

28 The parties having so stipulated and the stipulation in accordance with prior order of this

1 Court and GOOD CAUSE APPEARING THEREFORE, IT IS HEREBY ORDERED THAT:

- 2 1. Thomas H. R. Denver is hereby appointed as the mediator in this case;
- 3 2. Mediation shall proceed in accordance with the Court's Alternative Dispute
- 4 Resolution (ADR) Multi-Option Program and the rules and guidelines attendant
- 5 thereto; and
- 6 3. Absent further Order of this Court, mediation shall be completed

7 *Ronald M. Whyte*

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