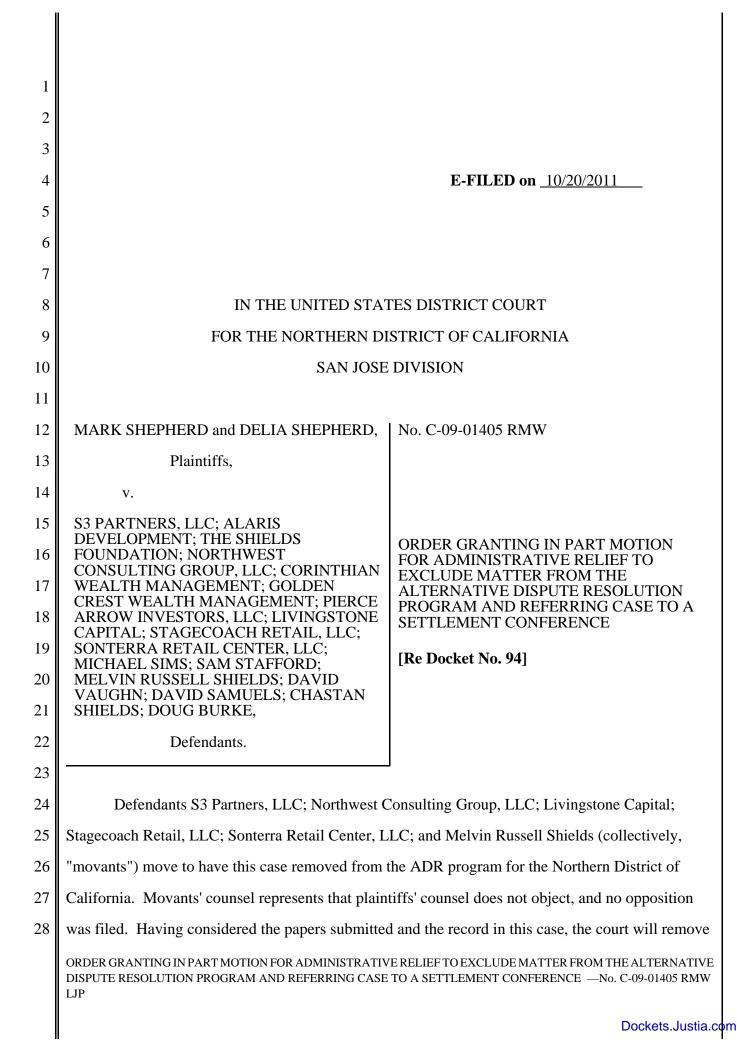
For the Northern District of California

United States District Court



the case from the mediation program but will require the parties to participate in a settlement 1 2 conference before a magistrate judge.

3 The court referred this case to mediation on August 27, 2010. Dkt. No. 54. The parties 4 stipulated to several extensions of the deadline to complete mediation, so that certain depositions could be taken first. Dkt. Nos. 59, 64, 67. Those depositions have now been taken, but the case has not been mediated, and movants argue that mediation would not be fruitful. In light of movants' 6 reluctance to mediate, the lack of opposition, and the advanced stage of the case, the court will 8 remove the case from the mediation program. Nonetheless, the ADR Local Rules provide that litigants "are presumptively required to participate in one non-binding ADR process." ADR L.R. 3-10 2. Here, the court is not "persuaded that no ADR process is likely to deliver benefits to the parties sufficient to justify the resources consumed by its use." Id. Thus, the court refers the case to a 12 settlement conference with the magistrate judge to whom this case is assigned.

ORDER

14 For the foregoing reasons, this case is hereby removed from the mediation program. The 15 parties are to participate in a settlement conference before Magistrate Judge Paul S. Grewal no later 16 than January 20, 2012. It is the parties' responsibility to immediately contact Judge Grewal's 17 chambers and schedule the settlement conference.

mald M. Whyte

RONALD M. WHYTE United States District Judge

ORDER GRANTING IN PART MOTION FOR ADMINISTRATIVE RELIEF TO EXCLUDE MATTER FROM THE ALTERNATIVE DISPUTE RESOLUTION PROGRAM AND REFERRING CASE TO A SETTLEMENT CONFERENCE -No. C-09-01405 RMW LJP 2

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DATED:

10/20/2011