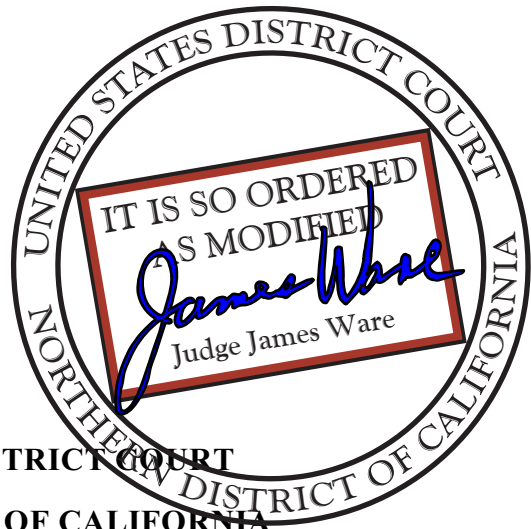


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6 **ATTORNEYS FOR** Defendant
 7 **JETBLUE AIRWAYS CORPORATION**



8 **UNITED STATES DISTRICT COURT**
 9 **NORTHERN DISTRICT OF CALIFORNIA**
 10 **SAN JOSE DIVISION**

11 PATRICE MORSE,

Case No. C 09-2036 JW (PVT)

12 Plaintiff,

STIPULATION AND [PROPOSED]
 ORDER REGARDING ADR

13 vs.

14 JETBLUE AIRWAYS CORPORATION,
 15 and DOES 1 through 50, inclusive,

16 Defendants.

17 _____ /
 18 WHEREAS counsel for the parties met and conferred in advance of the ADR Phone
 19 Conference to discuss the form of ADR which might best facilitate a resolution of this case; and

20 WHEREAS counsel for the parties agreed that an early settlement conference with a Magistrate
 21 Judge appeared to be the most likely ADR process to facilitate a resolution of the case, particularly
 22 given the nature of the claims and, even more so, the claimant; and

23 WHEREAS counsel for the parties participated in an ADR Phone Conference on December
 24 28, 2009, in which Howard A. Herman, Director of the Court's ADR Unit, concurred with counsel's
 25 assessment that an early settlement conference with a Magistrate Judge was appropriate in this case;

26 and,

27 ///

28 ///

Stipulation Regarding ADR

1 WHEREAS counsel for the parties discussed those Magistrate Judges they had identified as
2 being particularly well-suited to resolution of this controversy and to the personalities of the parties,
3 if the Court were to order an early settlement conference with a Magistrate Judge, that either Chief
4 Magistrate Judge James or Magistrate Judge Laporte be considered to conduct the early settlement
5 conference;

6 IT IS HEREBY STIPULATED, by and between plaintiff PATRICE MORSE and defendant
7 JETBLUE AIRWAYS CORPORATION, through their counsel of record, that the Court be asked
8 to enter an order referring this matter for an early settlement conference with a Magistrate Judge,
9 to be conducted in approximately three to four months, and to request that if such an order were to
10 be entered, that either Chief Magistrate Judge James or Magistrate Judge Laporte be considered to
11 conduct the early settlement conference.

12 SO STIPULATED.

13 Dated: December 29, 2009

LAW OFFICE OF ARKADY ITKIN

/s/ Arkady Itkin

15 By: _____
16 Arkady Itkin
17 Attorneys for Plaintiff
Patrice Morse

18 Dated: December 29, 2009

CODDINGTON, HICKS & DANFORTH

/s/ Richard G. Grotch

21 By: _____
22 Richard G. Grotch (*)
23 Attorneys for Defendant
JetBlue Airways Corporation

24 (*) I hereby attest that I have on file all holograph signatures
25 for any signatures indicated by a "conformed" signature (/s/)
within this e-filed document.

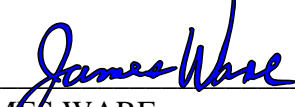
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PURSUANT TO STIPULATION, IT IS SO ORDERED.

The Court finds good cause to refer the parties to a Magistrate Judge for an early settlement conference. However, although the parties have requested Chief Magistrate Judge James or Judge Laporte, the Court refers this matter to Judge James for a determination of an appropriate assignment.

Dated: February 9, 2010



JAMES WARE
United States District Judge