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Attorneys for Cross-Defendant Liberty Mutual
 Insurance Company

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1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF CALIFORNIA
3 SAN JOSE DIVISION



4 UNITED STATES FIRE INSURANCE
5 COMPANY,

6 Plaintiff,

7 vs.

8 VESTA STRATEGIES, LLC, et al.,

9 Defendants.

10 SAMUEL W. HENKA, et al.,

11 Counter-Claimants,

12 vs.

13 UNITED STATES FIRE INSURANCE
14 COMPANY, a corporation,,

15 Counter-Defendant.

16 SAMUEL W. HENKA, et al.,

17 Cross-Claimants,

18 vs.

19 VESTA STRATEGIES, LLC, et al.

20 Cross-Defendants.
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Case No.: C 09-02388 JW PVT

**STIPULATION RE: MEDIATION
PROCESS**

1 Pursuant to the Court's Order of December 16, 2009 (Docket # 121) it is stipulated by
2 and among the parties who have appeared to date¹, through the counsel identified above, that the
3 parties request that the Court appoint Randall W. Wulff of Wulff Quinby Sochynsky Dispute
4 Resolution, 1901 Harrison Street, Suite 1420, Oakland, California 94612 as Mediator to assist
5 the parties in their settlement efforts.

6 IT IS FURTHER STIPULATED that the mediator's fees for each mediation session
7 shall be allocated as follows:

- 8 • 50% of the fees for each mediation session to be paid by Samuel W. Henka and
9 the Class and by Vesta;
- 10 • 50% of the fees for each mediation session to be paid by all other parties who are
11 participating in the particular mediation session.

12 DATED: January 15, 2010

13 BULLIVANT HOUSER BAILEY PC

14
15 By /s/ Peter Roldan

16 Andrew B. Downs
17 Peter Roldan

18 Attorneys for Plaintiff and Counter-Defendant
19 United States Fire Insurance Company

20 DATED: January 15, 2010

21 HOLLISTER & BRACE

22 By /s/ Peter L. Candy (via e-mail auth. PR)

23 Robert L. Brace
24 Peter L. Candy

25 Attorneys for Defendant, Counter-Claimant and
26 Cross-Claimant Samuel W. Henka and the Class

27 ¹ Counsel for Cross-Defendant Peter Ye has only stipulated to the selection of the mediator and
28 has not stipulated to the allocation of the mediation fees. Counsel for Cross-Defendants LPH,
LLC, Lincoln Park Claybourn 1900, LLC, and 1135 West Armitage, LLC did not provide their
authorization to enter into this stipulation.

1 DATED: January 15, 2010

2 PATTON, MARTIN & SULLIVAN, LLP

3
4 By /s/ Kevin R. Martin (via e-mail auth. PR)
5 Kevin R. Martin

6 Attorneys for Cross-Defendants, Robert Estupinian
and Ginny Estupinian

7 DATED: January 15, 2010

8 PARR LAW GROUP

9
10 By /s/ Shawn R. Parr (via e-mail auth. PR)
11 Shawn R. Parr

12 Attorneys for Cross-Defendant Peter Ye

13 DATED: January 15, 2010

14 TROUTMAN SANDERS LLP

15
16 By /s/ Becki F. Kieffer (via e-mail auth. PR)
17 Becki F. Kieffer

18 Attorneys for Cross-Defendant Continental
Casualty Company

19 DATED: January 15, 2010

20 COZEN O'CONNOR

21
22 By /s/ Charles E. Wheeler (via e-mail auth. PR)
23 Charles E. Wheeler

24 Attorneys for Cross-Defendant Liberty Mutual
Insurance Company

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CERTIFICATE OF SERVICE

1
2 This document will be served by the Court via its CM/ECF system, thus pursuant to
3 General Order 45, part IX, no Certificate of Service is necessary, except as to those parties not
4 on the Court's electronic service list.² Plaintiff is informed and believes that all parties who
5 have appeared to date have at least one of their attorneys on the electronic service list.
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² Comment to Civil Local Rule 5-6.