

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

TMX Funding, Inc.,  
Plaintiff(s),

CASE NO. C 10-00202 JF (PVT)

v.

Impero Technologies, Inc., et. al.  
Defendant(s).

STIPULATION AND {PROPOSED}  
ORDER SELECTING ADR PROCESS

\_\_\_\_\_ /

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)

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

**Private Process:**

- Private ADR (please identify process and provider) \_\_\_\_\_

The parties agree to hold the ADR session by:

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

- other requested deadline 2010 (date of continued Case Management Conference).

Dated: July 12, 2010

Carol B.  
Attorney for Plaintiff  
TMX Funding, Inc.

Dated: 7/12/10

[Signature]  
Attorney for Defendants  
Impero Technologies, Inc., Nicholas Steigelman,  
Joseph Zhang, Mitchell Heinlein, and Michelle  
Dover

Dated: \_\_\_\_\_

\_\_\_\_\_  
Attorney for Defendants  
Ronald Lesniak and David Lesniak

Dated: \_\_\_\_\_

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

TMX Funding, Inc.,

Plaintiff(s),

v.

Impero Technologies, Inc., et. al.

Defendant(s).

CASE NO. C 10-00202 JF (PVT)

STIPULATION AND [PROPOSED]  
ORDER SELECTING ADR PROCESS

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)

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

**Private Process:**

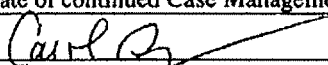
- Private ADR (please identify process and provider) \_\_\_\_\_

The parties agree to hold the ADR session by:

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

- other requested deadline 2010 (date of continued Case Management Conference).  
The Court ordered the parties to complete ADR before August 27, 2010 (date of continued Case Management Conference).

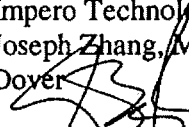
Dated: July 12, 2010

  
\_\_\_\_\_  
Attorney for Plaintiff  
TMX Funding, Inc.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Attorney for Defendants  
Impero Technologies, Inc., Nicholas Steigelman,  
Joseph Zhang, Mitchell Heinlein, and Michelle  
Dover

Dated: 7/12/10

  
\_\_\_\_\_  
Attorney for Defendants  
Ronald Lesniak and David Lesniak

Dated: \_\_\_\_\_

**[PROPOSED] 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 August 26, 2010

IT IS SO ORDERED.

Dated: 7/23/10

  
\_\_\_\_\_  
UNITED STATES MAGISTRATE JUDGE  
DISTRICT