| 1        |   |   |  |
|----------|---|---|--|
| 1        | Gay Crosthwait Grunfeld – 121944  |   |  |
| 2        | Shirley Huey – 224114<br>ROSEN, BIEN & GALVAN, LLP  |   |  |
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| 5        | ggrunfeld@rbg-law.com<br>shuey@rbg-law.com  |   |  |
| 6        | Local Counsel for Plaintiffs  |   |  |
| 7        |   |   |  |
| 8        | Andrew N. Friedman- admitted <i>pro hac vice</i><br>Victoria S. Nugent – admitted <i>pro hac vice</i> | Matthew N. Metz - 154995<br>METZ LAW GROUP, PLLC  |  |
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| 10       | 1100 New York Avenue, N.W., Suite 500 We<br>Washington, D.C. 20005-3964<br>Telephone: (202) 408-4600  | st Seattle, Washington 98104-7042<br>Telephone: (206) 583-2745<br>Facsimile: (206) 625-8683 |  |
| 11       | Facsimile: (202) 408 4000<br>vnugent@cohenmilstein.com  | matthew@metzlaw.net   |  |
| 12       |   | Counsel for Plaintiffs  |  |
| 13       | Counsel for Plaintiffs  |   |  |
| 14       |   |   |  |
| 15       | UNITED STATES DISTRICT COURT<br>NORTHERN DISTRICT OF CALIFORNIA                                       |   |  |
| 16       |   | NO 5 10 01455 IW  |  |
| 17       | MELISSA FERRINGTON and CHERYL<br>SCHMIDT, individually and on behalf of                               | NO. 5:10-cv-01455 JW  |  |
| 18       | the class they represent,   | STIPULATION AND [PROPUSED]<br>ORDER SELECTING ADR PROCESS                                   |  |
| 19       | Plaintiffs,   |   |  |
| 20       | V.  |   |  |
| 21       | MCAFEE INC., a Delaware Corporation,  |   |  |
| 21       | Defendant.  |   |  |
| 22       |   |   |  |
| 23<br>24 | Counsel report that they have met and conferred regarding ADR and have reached the                    |   |  |
| 25       | following stipulation pursuant to Civil L.R. 16-8 and ADR L.R. 3-5:                                   |   |  |
| 26       | The parties agree to participate in a private mediation facilitated by JAMS or a                      |   |  |
| 27       | comparable facilitator agreed upon by the parties.  |   |  |
| 28       | The parties agree to hold the ADR session within 90 days of a Court order deciding                    |   |  |
|          |   | NO. 5:10-CV-01455: STIP. & [PROPOSED]<br>ORDER SELECTING ADR PROCESS                        |  |
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| 1        | Defendant's motion to dismiss, |     |  |
|----------|--------------------------------|-----|--|
| 2        |                                |     |  |
| 3        |                                |     |  |
| 4        |                                |     | Respectfully submitted,  |
| 5        |                                |     | ROSEN, BIEN & GALVAN, LLP  |
| 6        |                                | D   |  |
| 7        |                                | By: | Gay Crosthwait Grunfeld  |
| 8        |                                |     | Shirley Huey<br>315 Montgomery Street, Tenth Floor<br>San Francisco, CA 94104-1823 |
| 9<br>10  |                                |     | Telephone: (415) 433-6830<br>Facsimile: (415) 433-7104                             |
| 11       |                                |     | Local Counsel for Plaintiffs<br>Melissa Ferrington and Cheryl Schmidt              |
| 12       |                                |     |  |
| 13       |                                |     | Victoria S. Nugent<br>Andrew N. Friedman<br>COHEN MILSTEIN SELLERS & TOLL PLLC     |
| 14       |                                |     | 1100 New York Avenue, N.W.<br>Suite 500, West Tower                                |
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| 16<br>17 |                                |     | Facsimile: (202) 408-4699  |
| 17<br>18 |                                |     | Matthew N. Metz  |
| 18<br>19 |                                |     | METZ LAW GROUP, PLLC<br>701 Fifth Avenue, Suite 7230                               |
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| 20<br>21 |                                |     | Telephone: (206) 583-2745<br>Facsimile: (206) 625-8683                             |
| 22       |                                |     | Counsel for Plaintiffs   |
| 23       |                                |     |  |
| 24       |                                | By: | <u>/s/ Daniel K. Slaughter</u><br>Daniel K. Slaughter                              |
| 25       |                                |     | STEIN & LUBIN<br>600 Montgomery Street, 14th Floor                                 |
| 26       |                                |     | San Francisco, CA 94111<br>Telephone: (415) 955-5037                               |
| 27       |                                |     | Facsimile: (415) 981-4343  |
| 28       |                                |     | Counsel for Defendant  |
|          |                                |     | - 2 - NO. 5:10-CV-01455: STIP. & [PROPOSED]<br>ORDER SELECTING ADR PROCESS         |

| 1        |   |
|----------|---|
| 2<br>3   | BROPOSED ORDER  |
| 3<br>4   | <i>V</i> Pursuant to the Stipulation above, the captioned matter is hereby referred to: |
| 5        | Private ADR   |
| 6        | Deadline for ADR session:   |
| 7        | 90 days from the date of an order deciding Defendant's motion to dismiss.               |
| 8        | To days from the date of an order deciding Derendant's motion to dismiss.               |
| 8<br>9   | IT IS SO ORDERED.   |
| 9<br>10  | June 14, 2010   |
| 11       | Dated:  |
| 12       | UNITED STATES DISTRICT JUDGE  |
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|          | - 3 - NO. 5:10-CV-01455: STIP. & [PROPOSED]<br>ORDER SELECTING ADR PROCESS              |