1		
1		
2		
4		
5		
6		
7		
8	UNITED STATES DISTRICT COURT	
9	NORTHERN DISTRICT OF CALIFORNIA	
10	SAN JOSE DIVISION	
11		
12	JAMES SALSMAN,) Case No.: CV 10-01865 PSG	
13	Plaintiff,) ORDER TERMINATING REFERRAL TO EARLY NEUTRAL EVALUATION	
14	v.	
15	ACCESS SYSTEMS AMERICAS, INC.,	
16	Defendant.)	
17		
18	On June 30, 2010, pursuant to the parties' stipulation, Judge Trumbull referred this case to	
19 20	the court's Early Neutral Evaluation ("ENE") program. (See Order Referring Case to Early	
20	Neutral Evaluation.) After receiving an email from Plaintiff that indicated that he was having	
21 22	second thoughts about the ENE process, Defendant filed a Motion to Extend Deadline for Early Neutral Evaluation. On September 24, 2010, Judge Trumbull granted the unopposed motion to	
22	extend the deadline and requested briefs setting forth the parties' current positions regarding	
23	Alternative Dispute Resolution ("ADR"). (See Order Granting Motion to Extend Deadline for	
25	Early Neutral Evaluation.) After the parties filed the requested briefing, Judge Trumbull vacated	
26	the deadline for the parties to complete an ADR event and deferred the issue to the next case	
27	management conference. (See Order Vacating Deadline for Parties to Complete ADR.)	
28	In his brief and at the case management conference held on December 21, 2010, Plaintiff	

ORDER, page 1

stated that he did not believe ADR would be effective until after completion of discovery, at
which time, he would prefer ENE. In its brief and at the case management conference, Defendant
stated that it believed a judicial settlement conference would be more useful than ENE. As the
parties do not agree on an ADR process selection at this time,

5 IT IS HEREBY ORDERED that the case is no longer referred to ENE. If it becomes 6 apparent that ADR would be useful, the court, on its own initiative or at the request of one or 7 more parties, may refer the case to one of the court's ADR programs or to a judicially hosted 8 settlement conference. Civ. L.R. 16-8(a).

10 Dated: January 7, 2011

PAUL S. GREWAL United States Magistrate Judge

1	
2	
3	Counsel automatically notified of this filing via the court's Electronic Case Filing system.
4	
5	copies mailed on 1/7/11 to:
6	James Price Salsman 1324 Carlton Ave
7	Menlo Park, CA 94025
8	/s/ Kally Lowenhord for
9	<u>/s/ Kelly Lowenberg for</u> OSCAR RIVERA Courtroom Deputy
10	
11	
12	
13	
14	
15	
16	
17	
18	
19 20	
20	
21	
22	
23	
25	
26	
27	
28	
	Order, page 3

I