

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Genentech, Inc.

CASE NO. 4:10-cv-2037-PJH

Plaintiff(s),

v.

STIPULATION AND [~~PROPOSED~~]
ORDER SELECTING ADR PROCESS

The Trustees of the University of
Pennsylvania

Defendant(s).

_____ /

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*) Private mediation at JAMS.

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 November 18, 2010

Dated: July 29, 2010

/s/ M. Patricia Thayer
Attorney for Plaintiff

Dated: July 29, 2010

/s/ Jason G. Sheasby
Attorney for Defendant

When filing this document in ECF, please be sure to use the appropriate ADR Docket Event, e.g., "Stipulation and Proposed Order Selecting Early Neutral Evaluation."

[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 November 18, 2010

IT IS SO ORDERED.

Dated: 7/30/10

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
UNITED STATES JUDGE
IT IS SO ORDERED
Phyllis J. Hamilton
Judge Phyllis J. Hamilton

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14
15 **UNITED STATES DISTRICT COURT**
16 **NORTHERN DISTRICT OF CALIFORNIA**
17 **OAKLAND DIVISION**

18 GENENTECH, INC.,
19 Plaintiff and Counterclaim
20 Defendant,

21 v.

22 THE TRUSTEES OF THE UNIVERSITY OF
23 PENNSYLVANIA,
24 Defendant and Counterclaimant

Case No: 4:10-CV-2037-PJH

**SIGNATURE ATTESTATION RE:
STIPULATION AND [PROPOSED]
ORDER SELECTING ADR PROCESS**

1 **SIGNATURE ATTESTATION**

2 Pursuant to General Order 45(X), I hereby attest that concurrence in the filing of the attached
3 Stipulation and [Proposed] Order Selecting ADR Process has been obtained from Jason G. Sheasby.

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5 Dated: July 29, 2010

6 Respectfully Submitted,

7 By: /s/ M. Patricia Thayer
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