

1 Steve W. Dollar, Esq. [SBN 104365]
Brian D. McFarlin, Esq. [SBN 259099]
2 ERICKSEN ARBUTHNOT
152 North Third Street, Suite 700
3 San Jose, CA 95112
Telephone: (408) 286-0880
4 Facsimile: (408) 286-0337

5 Attorneys for Defendants
JSA APPRAISALS
6 and STEPHEN SCHWARTZ

7
8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

10
11 FEDERAL DEPOSIT INSURANCE
CORPORATION as Receiver for INDYMAC
12 BANK, F.S.B.,

13 Plaintiff,

14 vs.

15 JSA APPRAISAL SERVICE, type of entity
unknown; and STEPHEN SCHWARTZ, an
16 Individual,

17 Defendants.

Case Number C10-02077-LHK

STIPULATION AND ~~PROPOSED~~
ORDER RE MODIFICATION OF
ORDER SELECTING ADR PROCESS

18
19 WHEREAS the Court issued a Stipulation and Order Selecting ADR Process on August
20 31, 2010.

21 WHEREAS this Order stated that the parties agreed to both Court-connected mediation
22 under ADR L.R. 6 and Private ADR with Hon. Harkjoon Paik (retired) at ADR Services.

23 WHEREAS the parties only wish to pursue private ADR at this time.

24 IT IS HEREBY STIPULATED AND AGREED by and between the parties hereto, by
25 their respective counsel, that the Court's August 31, 2010 Order be modified to only indicate a
26 choice of private ADR, not a choice of Court-connected mediation under ADR L.R. 6.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

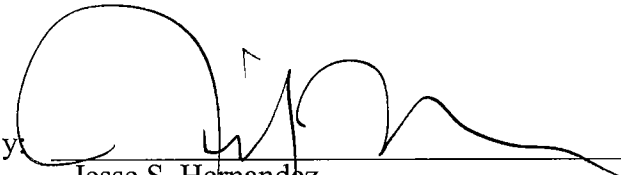
DATED: September 7, 2010

ERICKSEN ARBUTHNOT

By: /s Brian D. McFarlin
Steven W. Dollar
Brian D. McFarlin
Attorneys for JSA APPRAISAL SERVICE and
STEPHEN SCHWARTZ

DATED: September 7, 2010

ANDERSON, McPHARLIN & CONNERS LLP

By: 
Jesse S. Hernandez
Vanessa H. Widener
Jennifer S. Muse
Attorneys for Plaintiff, FEDERAL DEPOSIT
INSURANCE CORPORATION as Receiver for
INDYMAC BANK, F.S.B.

Order

By Execution of the above Stipulation to Modify the Court's Order Selecting ADR Process and upon satisfaction of the Court that the stipulation be granted,

IT IS HEREBY ORDERED that the Court's August 31, 2010 Order Selecting ADR Process be modified to only indicate a choice of private ADR, not a choice of Court-connected mediation under ADR L.R. 6.

Dated: 09/09/2010


United States District Judge