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6 Attorneys for Plaintiff  
 LEVI STRAUSS & CO.

7  
 8 UNITED STATES DISTRICT COURT  
 9 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
 10 SAN JOSE DIVISION

11 LEVI STRAUSS & CO.,

12 Plaintiff,

13 v.

14 BRAND X, L.L.C.,

15 Defendant.  
 16

Case No. CV 10-02658 JF

**STIPULATION AND ~~PROPOSED~~  
 ORDER SELECTING ADR  
 PROCESS**

17  
 18 Counsel report that they have met and conferred regarding ADR and have reached the  
 19 following stipulation pursuant to Civil L.R. 16-8 and ADR L.R. 3-5:

20 The parties agree to participate in the following ADR process:

21 **Court Processes:**

- 22  Non-binding Arbitration (ADR L.R. 4)
- 23  Early Neutral Evaluation (ENE) (ADR L.R. 5)
- 24  Mediation (ADR L.R. 6)

25 **Private Process:**

- 26  Private ADR (*please identify process and provider*)

1 The parties agree to hold the ADR Session by:

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

4  Other requested deadline

5  
6 DATED: December 8, 2010 Respectfully submitted,

7 TOWNSEND AND TOWNSEND AND CREW LLP

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9 By: /s/ Gia Cincone  
10 Gia Cincone  
11 Attorneys for Plaintiff  
12 LEVI STRAUSS & CO.

13 DATED: December 8, 2010

K&L GATES LLP

14 By: /s/ Rachel R. Davidson  
15 Rachel R. Davidson  
16 Attorneys for Defendant  
17 BRAND X, L.L.C.

18 IT IS SO ORDERED.

19 DATED: 12/16, 2010

20   
21 \_\_\_\_\_  
22 Hon Jeremy Fogel  
23 United States District Judge

24  
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26  
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62911393 v1