Case No. 10-CV-4602-JF

1	LESLIE HOLMES (SB# 192608)	
2	leslie@hulawyers.com HOLMES & USOZ LLP	
3	333 West Santa Clara Street, Suite 805 San Jose, CA 95113	
4	Telephone: (408) 292-7600 Facsimile: (408) 292-7611	
5	Attorney for Plaintiff MICHAEL DESANTIS	
6	E. JEFFREY GRUBE (SB# 167324)	
7	jeffgrube@paulhastings.com	
8	JEFFREY P. MICHALOWSKI (SB# 248073) jeffmichalowski@paulhastings.com	
9	PAUL HASTINGS LLP 55 Second Street, Twenty-Fourth Floor	
10	San Francisco, CA 94105-3441 Telephone: (415) 856-7000	
11	Facsimile: (415) 856-7100	
12	Attorneys for Defendants	
13	INTERNATIONAL BUSINESS MACHINES CORPORATION and GARY ROBINSON	
14	UNITED STATES DISTRICT COURT	
15	NORTHERN DISTRICT OF CALIFORNIA	
16	SAN JOSE DIVISION	
17		GAGENO AO GWAGOO YE
18	MICHAEL DESANTIS, an individual,	CASE NO. 10-CV-4602-JF
19	Plaintiff,	STIPULATION AND [PROPOSED]
		ORDER SELECTING ADR PROCESS
20	vs.	
20 21	INTERNATIONAL BUSINESS MACHINES CORPORATION, a corporation; GARY	
	INTERNATIONAL BUSINESS MACHINES CORPORATION, a corporation; GARY ROBINSON, an individual,	
21	INTERNATIONAL BUSINESS MACHINES CORPORATION, a corporation; GARY ROBINSON, an individual,  Defendant.  INTERNATIONAL BUSINESS MACHINES	
21 22	INTERNATIONAL BUSINESS MACHINES CORPORATION, a corporation; GARY ROBINSON, an individual,  Defendant.  INTERNATIONAL BUSINESS MACHINES CORPORATION, a corporation;	
21 22 23	INTERNATIONAL BUSINESS MACHINES CORPORATION, a corporation; GARY ROBINSON, an individual,  Defendant.  INTERNATIONAL BUSINESS MACHINES	
21 22 23 24	INTERNATIONAL BUSINESS MACHINES CORPORATION, a corporation; GARY ROBINSON, an individual,  Defendant.  INTERNATIONAL BUSINESS MACHINES CORPORATION, a corporation;  Counterclaimant,  vs.	
21 22 23 24 25	INTERNATIONAL BUSINESS MACHINES CORPORATION, a corporation; GARY ROBINSON, an individual,  Defendant.  INTERNATIONAL BUSINESS MACHINES CORPORATION, a corporation;  Counterclaimant,	
21 22 23 24 25 26	INTERNATIONAL BUSINESS MACHINES CORPORATION, a corporation; GARY ROBINSON, an individual,  Defendant.  INTERNATIONAL BUSINESS MACHINES CORPORATION, a corporation;  Counterclaimant,  vs.	
21 22 23 24 25 26 27	INTERNATIONAL BUSINESS MACHINES CORPORATION, a corporation; GARY ROBINSON, an individual,  Defendant.  INTERNATIONAL BUSINESS MACHINES CORPORATION, a corporation;  Counterclaimant,  vs.  MICHAEL DESANTIS, an individual,	

SELECTING ADR PROCESS

1	Counsel report that they have met and conferred regarding ADR and have reached the		
2	following stipulation pursuant to Civil L.R. 16-8 and ADR L.R. 3-5:		
3	The parties agree to participate in the following ADR process:		
4	Court Processes:		
5	□ Non-binding A	Arbitration (ADR L.R. 4)	
6	☐ Early Neutral	Evaluation (ENE) (ADR L.R. 5)	
7	☐ Mediation (AI	DR L.R. 6)	
8	Private Process:		
9	Private ADR (p	please identify process and provider) Private mediation	
10	before a mediator agreed to by the parties.		
11	The parties agree to hold the ADR session by:		
12	☐ the presumptive	ve deadline (The deadline is 90 days from the date of the	
13	order referring	ng the case to an ADR process unless otherwise ordered.)	
14	other requested	ed deadline Within 90 days from the date of Plaintiff's	
15	deposition, cu	urrently noticed for September 8, 2011.	
16			
17	DATED: August 15, 2011	LESLIE HOLMES HOLMES AND USOZ LLP	
18			
19		By: /s/ Leslie Holmes LESLIE HOLMES	
20		Attorneys for Plaintiff	
21		Michael DeSantis	
22	DATED: August 15, 2011	E. JEFFREY GRUBE JEFFREY P. MICHALOWSKI	
23		PAUL HASTINGS LLP	
24		By:/s/ Jeffrey P. Michalowski JEFFREY P. MICHALOWSKI	
		JEFFREY P. MICHALOWSKI	
25		Attorneys for Defendants	
26		INTERNATIONAL BUSINESS MACHINES	
26 27		INTERNATIONAL BUSINESS MACHINES CORPORATION and GARY ROBINSON	
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1	-[PROPOSED] ORDER		
2	Pursuant to the Stipulation above, the captioned matter is hereby referred to:		
3	□ Non-binding Arbitration		
4	☐ Early Neutral Evaluation (ENE)		
5	☐ Mediation		
6	Private mediation before a mediator agreed to by the parties.		
7	Deadline for ADR session		
8	□ 90 days from the date of this order.		
9	Within 60 days from the date upon which both parties have completed at		
10	least one deposition.		
11	IT IS SO ORDERED.		
12	TI IS SO GREEKEE.		
13	DATED: August <u>18</u> , 2011		
14	and the second s		
15	Jere ny Fogel United States District Judge		
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17	LEGAL_US_W # 68840285.1		
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