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17 **UNITED STATES DISTRICT COURT**
18 **NORTHERN DISTRICT OF CALIFORNIA**
19 **SAN JOSE DIVISION**

20 **ART OF LIVING FOUNDATION**, a
21 California corporation,
22
23 Plaintiff,
24
25 vs.
26
27 **DOES 1-10**, inclusive,
28
29 Defendants.

Case No. 10-cv-5022-LHK-HRL

**STIPULATION AND [PROPOSED]
ORDER TO TERMINATE REFERRAL
TO MEDIATION AND REFERRING
TO SETTLEMENT CONFERENCE
BEFORE MAGISTRATE JUDGE**

Case No. 10-cv-5022-LHK-HRL

**STIP. AND [PROP.] ORDER REFERRING TO
SETTLEMENT CONFERENCE**

1 WHEREAS, on February 9, 2011 this Court, pursuant to stipulation, ordered the
2 parties to mediate within 90 days of this Court's resolution of Defendants' dispositive
3 motions [D.E. 25]; and

4 WHEREAS, on May 26, 2011 the Court entered a Minute and Case Management
5 Order that referred the parties to Court-connected mediation to be completed by
6 September 9 [D.E. 79]; and

7 WHEREAS that mediation deadline was extended by Order of this Court on
8 August 10, 2011 [D.E. 91]; and

9 WHEREAS Defendants Skywalker and Klim have appeared in this action
10 pseudonymously and have filed a motion to quash subpoenas [D.E. No. 62], which
11 subpoenas seeks to reveal Skywalker and Klim's identities; and

12 WHEREAS the Court's ADR department has informed the parties that it cannot
13 conduct a mediation with pseudonymous parties; and

14 WHEREAS the Court has by its Order of November 9, 2011 [D.E.129] granted
15 Defendants Klim and Skywalker's motion to quash Plaintiffs' subpoenas for their
16 identities, pending further determinations by this Court; and

17 WHEREAS at the Case Management Conference held on January 12, 2012 the
18 Court indicated that if the parties were unable to settle the case by February 9, 2012,
19 they were to so report to the Court, and that in that event the Court would refer the
20 parties to the Hon. Joseph C. Spero, Magistrate Judge of this Court, [D.E. 141]; and

21 WHEREAS, the parties having discussed settlement in person and by phone and
22 having reported to the Court that they have not settled the matter [D.E. 142], and having
23 further discussed settlement as well as conferred with the Court's ADR staff to
24 determine the proper procedure under the circumstances; and

25 WHEREAS the parties believe that the assistance of a settlement judge would be
26 helpful;

27 IT IS HEREBY STIPULATED AND AGREED by and between Plaintiff Art of
28 Living Foundation, and Defendants Doe/Klim and Doe/Skywalker (collectively,

1 “Defendants”), through their counsel of record, and the parties respectfully request this
2 Court to ORDER that:

3 1. The Court’s referral of this matter to mediation be terminated; and
4 2. This matter be referred to Magistrate Judge [the Honorable Joseph C.
5 Spero] / [~~the Honorable~~ _____] to conduct a settlement
6 conference, to be completed by June 9, 2012; and

7 3. Unless and until the Court issues a ruling modifying the Order of
8 November 9, 2012, Defendants are permitted to appear at the conference telephonically
9 and without disclosing their identities.

11 DATED: March __ 2012

DATED: March __ 2012

12 KRONENBERGER ROSENFELD, LLP

JOSHUA KOLTUN

14 By: s/ Karl S. Kronenberger

By: s/ Joshua Koltun

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19 Attorneys for Plaintiff
20 Art of Living Foundation

Attorney for Defendants
Doe/Klim and Doe/Skywalker

23 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

24 Date: March 9, 2012



The Honorable Lucy H. Koh
United States District Court Judge

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