

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

Probuilders Specialty Insurance Company,  
RRG, a District of Columbia, Risk Retention  
Group

CASE NO. 10-cv-05533-EJD

Plaintiff(s),

v.

STIPULATION AND [PROPOSED]  
ORDER SELECTING ADR PROCESS

Valley Corp. B., a California Corporation  
formerly known as R.J. Haas Corp.; et al.

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) \_\_\_\_\_

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 December 2, 2011

Dated: 8/31/11

  
\_\_\_\_\_  
Attorney for Plaintiff

Dated: 8-31-11

  
\_\_\_\_\_  
Attorney for Defendant  
Defendants Ty Levine  
and Karen Levine

Dated: 8/31/2011

Chip Cox  
Attorney for Defendant

Ronald J. Haas

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 \_\_\_\_\_

IT IS SO ORDERED.

Dated: September 6, 2011



UNITED STATES DISTRICT JUDGE

1 **PROOF OF SERVICE**

2 I am over 18 years of age and not a party to the within action. I am employed in the  
3 County of San Francisco; my business address is Yaron & Associates, 601 California Street,  
4 21st Floor, San Francisco, California 94108.

5 On **August 31, 2011**, I served the within:

6 **STIPULATION AND [PROPOSED] ORDER SELECTING ADR PROCESS**

7 as addressed below, by causing a true copy thereof to be distributed as follows:

8 9 10 11 12 13 14	Chip B. Cox GREENAN, PEPPER, SALLANDER & LALLY LLP 6111 Bollinger Canyon Road, Suite 500 San Ramon, CA 94583 Tel. (925) 866-1000 Fax: (925) 830-8787 Email: <a href="mailto:chipc@longlevit.com">chipc@longlevit.com</a> <i>Attorney for Ronald J. Haas, an individual and Valley Corp. B.</i>	Kim O. Dincel HINES SMITH CARDER DINCEL BLAND 25 Metro Drive, Suite 600 San Jose, CA 95110 Tel: (408) 573-5725 Fax: (408) 519-2606 Email: <a href="mailto:kdincel@hinessmith.com">kdincel@hinessmith.com</a> <i>Attorney for Karen Levine and Ty Levine</i>
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- (X) **VIA U.S. MAIL:** I am "readily familiar" with the firms practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.
  - ( ) **VIA HAND-DELIVERY:** I caused such envelope, to be hand delivered to the stated parties.
  - ( ) **VIA FAX:** I caused such documents to be transmitted via fax to the stated parties at their respective facsimile numbers.
  - ( ) **VIA EXPRESS CARRIER:** I caused such documents to be collected by an agent for Federal Express to be delivered to the offices of the stated parties.
  - ( ) **VIA E-MAIL:** I caused such document to be sent via email to the offices of the addressees so designated.

25 I declare under penalty of perjury under the laws of the State of California that the foregoing  
26 is true and correct, and that this declaration was executed on **August 31, 2011**, at San Francisco,  
27 California 94108.

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Lydia Burton