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8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA

10 WILLIAM LUKOV

11 Plaintiff,

12 v.

13 SCHINDLER ELEVATOR CORPORATION,

14 Defendant.

Case No. CV 11-00201 EJD

**STIPULATION AND [~~PROPOSED~~]
 ORDER TO MODIFY THE SELECTION
 OF ADR PROCESS**

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 18 The parties to the captioned action hereby jointly submit this Stipulation and
 19 [~~Proposed~~] Order to Modify the Order Selecting ADR Process.

20 WHEREAS, on November 4, 2011, the parties stipulated to and Plaintiff filed a
 21 Stipulation and Proposed Order selecting ADR Process (“ADR Order”) selecting and
 22 proposing Early Neutral Evaluation as an agreed method of ADR.

23 WHEREAS, this Court signed the ADR Order on November 7, 2011, ordering ADR to
 24 be completed by a requested deadline of December 31, 2011.

25 WHEREAS, the Court notified the Parties on November 10, 2011, that David
 26 Alexander had been appointed as the ENE Evaluator pursuant to the ADR Order.

27 WHEREAS, the Court has ordered the parties to appear for a Case management
 28 Conference on January 20, 2012.

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~~50604~~ [PROPOSED] ORDER

Good Cause Appearing, and based on the stipulation of the parties, the Stipulation and Proposed Order Selecting Early Neutral Evaluation shall be modified as follows:

This case is no longer referred to Early Neutral Evaluation pursuant to ADR L.R. 5 and is now, instead, referred to mediation pursuant to ADR L.R. 6;

David Alexander, who was previously appointed as the ENE neutral in this matter, is re-appointed as the mediator in this matter;

The mediation shall be complete by January 17, 2012.

IT IS SO ORDERED.

Dated: December 5, 2011



DISTRICT COURT JUDGE