

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Daniel Donohue

Plaintiff(s),

CASE NO. 5:11-cv-05337-LHK

v.

STIPULATION AND ~~[PROPOSED]~~
ORDER SELECTING ADR PROCESS

Apple Inc.

Defendant(s).

As Amended by the Court

_____ /

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) _____

Private mediation; provider to be determined at later date.

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 The parties will meet and confer about a mediation date after the pleadings are settled.

Dated: Jan. 25, 2012

/s/ Kathryn Diemer
Attorney for Plaintiff

Dated: Jan. 25, 2012

/s/ Penelope A. Prevolos
Attorney for Defendant

I, Penelope A. Prevolos, am the ECF User whose ID and password are being used to file this Stipulation. In compliance with General Order 45, section X.B., I hereby attest that I have on file the concurrences for any signatures indicated by a "conformed" signature (/s/) within this efiled document.

By: /s/ Penelope A. Prevolos

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 150 day deadline

IT IS SO ORDERED.

Dated: January 26, 2012



UNITED STATES DISTRICT JUDGE
Lucy H. Koh