

1 SHEPPARD, MULLIN, RICHTER & HAMPTON LLP  
 A Limited Liability Partnership  
 2 Including Professional Corporations  
 JENNIFER G. REDMOND, Cal. Bar No. 144790  
 3 jredmond@sheppardmullin.com  
 MATTHEW M. SONNE, Cal. Bar No. 239110  
 4 msonne@sheppardmullin.com  
 JESSICA S. FAIRBAIRN, Cal. Bar No. 273163  
 5 jfairbairn@sheppardmullin.com  
 Four Embarcadero Center, 17th Floor  
 6 San Francisco, California 94111-4109  
 Telephone: 415-434-9100  
 7 Facsimile: 415-434-3947

8 Attorneys for Defendants  
 9 GEM SERVICES USA, INC., GEM SERVICES,  
 INC., RICHARD KULLE, SHARON KIMBLE  
 10 and ARTHUR LAU

11 UNITED STATES DISTRICT COURT  
 12 NORTHERN DISTRICT OF CALIFORNIA  
 13

14 ANDREW PENG, An individual,  
 15 NEINCHIU WANG, A.K.A., GRACE  
 16 WANG, an individual,

Plaintiffs,

v.

18 GEM SERVICES, INC., a Cayman Island  
 19 corporation, GEM SERVICES USA, INC.  
 a California corporation,  
 20 RICHARD KULLE, an individual,  
 SHARON KIMBLE, an individual,  
 21 ARTHUR LAU, an individual, and DOES  
 1-10, inclusive,

Defendants.

Case No. CV 12-0574 EJD

**STIPULATION AND ~~PROPOSED~~  
 ORDER SELECTING ADR PROCESS**

The Honorable Edward J. Davila

24 Counsel report that they have met and conferred regarding ADR and have  
 25 reached the following stipulation pursuant to Civil L.R. 16-8 and ADR L.R. 3-5:  
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27 The parties agree to participate in the following ADR process:  
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**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:**

**X** Private ADR (*please identify process and provider*): Private Mediation. Parties working to determine provider.

The parties agree to hold the ADR session by:

- X** 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: \_\_\_\_\_

DATED: April 20, 2012

**SHEPPARD MULLIN RICHTER & HAMPTON**

By \_\_\_\_\_ /s/Jennifer G. Redmond  
 JENNIFER G. REDMOND  
 Attorneys for Defendants  
 GEM SERVICES USA, INC., GEM SERVICES,  
 INC., RICHARD KULLE, SHARON KIMBLE  
 and ARTHUR LAU

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- The parties' stipulation is adopted and IT IS SO ORDERED.
- The parties' stipulation is modified as follows, and IT IS SO ORDERED.  
The parties shall select a mediator by May 1, 2012

DATED: April 23, 2012

By   
\_\_\_\_\_  
HONORABLE EDWARD J. DAVILA  
U.S. District Court Judge, Northern District of  
California