UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA

E-FILED - 10/20/09

ARTHUR J. GARCIA, RONALD K. BROOKS, BETTY JEAN NORMAN, RODERICK VOLD ROBERT ELANDER Plaintiff(s),

CASE NO. C09-01943 RMW (PVT)

v.

3M COMPANY,

STIPULATION AND [XXXXXXX ORDER SELECTING ADR PROCESS

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) MEDIATION \checkmark MEDIATOR: HUNTER R. HUGHES III, ESQ., OF ROGERS & HARDIN LLP

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 31, 2009

Dated: $\frac{9/2}{09}$ Dated: $\frac{5}{24+2}$, 2009

for Plaintiff

XXXXXXX ORDER

Pursuant to the Stipulation above, the captioned matter is hereby referred to: Non-binding Arbitration

Early Neutral Evaluation (ENE)

- XX Mediation
- Private ADR \checkmark

Deadline for ADR session 90 days from the date of this order. .

other December 31, 2009 \checkmark

IT IS SO ORDERED.

Dated:___ 10/20/09

Ronald M. Whyte

UNITED STATES XXXXXXX JUDGE