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| SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN MATEO Civil Division 400 County Center Redwood City, CA 94063-1655 | |
| PLAINTIFF / PETITIONER: DEFENDANT / RESPONDENT: | CASE NUMBER: |
| STIPULATION AND [PROPOSED] ORDER TO MEDIATION IN LIEU OF COURT-ORDERED JUDICIAL ARBITRATION | |

IT IS HEREBY STIPULATED AND AGREED by and between Plaintiff[s] _____ and Defendant[s] _____ (collectively, "the Parties"), by and through their respective counsel, to be ordered by this Court to submit this action to mediation in lieu of previously Court-ordered, non-binding Judicial Arbitration.

IT IS FURTHER STIPULATED AND AGREED by and between the Parties to request that the judicial arbitration set for _____ [date] with the appointed judicial arbitrator _____ [name of judicial arbitrator] be canceled. The parties, through their respective counsel, have notified both the Judicial Arbitration Administrator and the ADR Program of this Court. Parties' request to proceed with mediation of this matter if the Court so approves.

The mediation is currently scheduled for _____ [date of the mediation session] with _____ [name of mediator]. The mediation will take place within five months of the previously scheduled judicial arbitration hearing. The parties understand that they are responsible for direct payment of mediation fees to the mediator.

Parties, through their respective counsel ask this Court to set a trial date on _____. Such date is within six-months of the previously scheduled judicial arbitration hearing.

Date: _____

 PRINT NAME

 SIGNATURE OF PLAINTIFF OR ATTORNEY

 PRINT NAME

 SIGNATURE OF PLAINTIFF OR ATTORNEY

 PRINT NAME

 SIGNATURE OF DEFENDANT OR ATTORNEY

 PRINT NAME

 SIGNATURE OF DEFENDANT OR ATTORNEY

ORDER:

Based upon, and in accordance with, the above Stipulation of the Parties, the Court hereby orders the Parties to submit the above-entitled action to Mediation in Lieu of Court-ordered, non-binding Judicial Arbitration.

The Court further hereby sets this case for trial on _____ [trial date] at 9:00 a.m. in the Department of the Presiding Judge.

IT IS SO ORDERED.

Date: _____

 JUDGE OF THE SUPERIOR COURT