

<p>ATTORNEY OR PARTY WITHOUT ATTORNEY (<i>Name, State Bar number, and address</i>)</p> <p>TELEPHONE NO.: _____ FAX NO. (<i>Optional</i>): _____</p> <p>E-MAIL ADDRESS: _____</p> <p>ATTORNEY FOR (<i>Name</i>): _____</p>	<p><b>FOR COURT USE ONLY</b></p>
<p><b>SUPERIOR COURT OF CALIFORNIA, ALAMEDA COUNTY</b></p> <p>STREET ADDRESS: _____</p> <p>MAILING ADDRESS: CITY _____</p> <p>AND ZIP CODE: BRANCH _____</p> <p>NAME: _____</p>	
<p>PLAINTIFF or PETITIONER: _____</p> <p>DEFENDANT or RESPONDENT: _____</p>	
<p><b>STIPULATION TO PARTICIPATE IN DISCOVERY FACILITATION</b></p>	<p>CASE NUMBER: _____</p>

**INSTRUCTIONS:** All applicable boxes must be completed, and the specified information must be provided. E-mail the completed and signed form to the Alternative Dispute Resolution (“ADR”) program at the following address: [adrprogram@alameda.courts.ca.gov](mailto:adrprogram@alameda.courts.ca.gov)

Has a discovery motion been filed?

Yes, please provide:

Motion’s short title: \_\_\_\_\_

Date of filing: \_\_\_\_\_

Name of attorney (or party without attorney) who filed a discovery motion: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Address: \_\_\_\_\_

Name of attorney (or party without attorney) opposing a discovery motion: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Address: \_\_\_\_\_

No, please provide:

Name of attorney (or party without attorney) requesting discovery: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_ Address: \_\_\_\_\_

Name of attorney (or party without attorney) opposing discovery: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Address: \_\_\_\_\_

If the motion has not yet been filed, use this box or an attachment to provide a concise description of the dispute:

PLAINTIFF/PETITIONER:  DEFENDANT/RESPONDENT:	CASE NUMBER:
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1. Prior to the discovery cut-off in this action, the parties entering into this stipulation agree to resolve this discovery dispute informally, reasonably, and in good faith, by participating in a discovery facilitation conference under the terms of this stipulation, either before filing a motion under the Discovery Act, or before the scheduled hearing date of any discovery motion.
2. At the discovery facilitation conference, the facilitator will work with the parties to facilitate an informal resolution.
3. All parties to the discovery facilitation conference must:
  - a. Work in good faith with the facilitator to schedule the conference at a mutually agreeable time and place. If any party has already filed a discovery motion in this dispute, the parties to this agreement must hold their discovery facilitation conference no closer than 15 calendar days before the scheduled law and motion hearing on this discovery dispute; and,
  - b. Comply with the facilitator's requests for any necessary briefing before the discovery facilitation conference, providing a courtesy copy to the opposing party or parties. The facilitator may determine the briefing schedule and set the length and format of briefing materials to be submitted.
    - i. Service via e-mail is preferred, but both parties may use any agreed-upon method of service that ensures the responding party has adequate time to respond, and the facilitator has adequate time to review the briefing materials and prepare before the discovery facilitation conference.
    - ii. The moving party's pre-conference briefing must include a short summary of the dispute and specify the relief requested.
    - iii. The responding party must serve both the facilitator and the moving party with a short summary of why the requested relief should be denied.
    - iv. If privilege is the basis for objection to requested discovery, the party who claims the privilege must bring privilege logs to the facilitation conference and, if possible, provide a copy to the facilitator and to the opposing party before the conference.
    - v. Beyond the brief summaries and privilege logs described above, the facilitator is not required to preview any additional exhibits, declarations, or attachments before the facilitation conference. Bringing such documents to the facilitation conference itself may delay resolution of the dispute. The court strongly discourages unnecessary document review during the facilitation conference.
4. Counsel must abide by the California Attorney Guidelines of Civility and Professionalism, particularly with regard to discovery.
5. Nothing herein precludes any party from making any application to the court for appropriate relief, including an ex parte order shortening the time for the Court to hear a motion.

PLAINTIFF/PETITIONER:  DEFENDANT/RESPONDENT:	CASE NUMBER:
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Participating in discovery facilitation will not automatically extend the deadline to file a motion to compel further discovery response as specified in the California Code of Civil Procedure. If the parties wish to extend the time to file a discovery motion, they may use this stipulation (see below) to toll the deadline until a specific later date to which the party seeking discovery and the party responding to discovery have agreed in writing, pursuant to the California Code of the Civil Procedure.

- All parties agree to extend the deadline to file a motion to compel further responses to discovery requests until the following date:

**The following parties so stipulate:**

Date:  
\_\_\_\_\_

(TYPE OR PRINT NAME)



\_\_\_\_\_

(SIGNATURE OF PARTY OR ATTORNEY)

Date:  
\_\_\_\_\_

(TYPE OR PRINT NAME)



\_\_\_\_\_

(SIGNATURE OF PARTY OR ATTORNEY)

Date:  
\_\_\_\_\_

(TYPE OR PRINT NAME)



\_\_\_\_\_

(SIGNATURE OF PARTY OR ATTORNEY)

Date:  
\_\_\_\_\_

(TYPE OR PRINT NAME)



\_\_\_\_\_

(SIGNATURE OF PARTY OR ATTORNEY)

