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9 **Attorneys for Defendants**

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11 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
12 **COUNTY OF SAN DIEGO**

13  
14 \_\_\_\_\_,  
15 Plaintiffs,  
16 vs.  
17 \_\_\_\_\_, and DOES 1 THROUGH  
18 50, inclusive,  
19 Defendants.

CASE NO.: 37-2020-11111111-CU-MM-CTL

Assigned for All Purposes To:  
Hon. \_\_\_\_\_  
Department \_\_\_\_\_

**STIPULATION FOR USE OF  
NEUTRAL FOR BINDING DECISION  
PURSUANT TO CCP SECTION 638  
AND [PROPOSED] ORDER**

Action filed: **Insert**  
Trial date: **Insert**

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21  
22 **TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

23 Plaintiff \_\_\_\_\_ and Defendant \_\_\_\_\_ (hereinafter collectively  
24 referred to as “Parties”) hereby stipulate, by and through their attorneys of record, as follows:

25 Plaintiff \_\_\_\_\_ and Defendant \_\_\_\_\_ (hereinafter collectively  
26 referred to as “Parties”) hereby stipulate, by and through their attorneys of record, as follows:

- 27 1. Given the unprecedented health crisis that has severely impacted our civil justice  
28

1 system, the Parties agree to utilize the services of a volunteer neutral from RESOLVE Law San  
2 Diego for a case pending in the Superior Court of California – San Diego.

3 2. The Parties acknowledge that RESOLVE Law San Diego is a voluntary service in  
4 response to the unprecedented health crisis which caused the San Diego Superior Court to close  
5 and postpone all civil matters and hearings.

6 3. The Parties agree that the neutral from RESOLVE Law San Diego (hereinafter  
7 “neutral”) is appointed to consider and issue a decision with regard to [insert discovery or law and  
8 motion matter]. The Parties agree that the appointment is made pursuant to Code of Civil  
9 Procedure section 638 . The Parties agree the neutral’s decision is binding, and, accordingly, either  
10 party may submit it to the Court for entry of an Order.

11 4. Counsel who executed this Stipulation represent and warrant that they have secured  
12 the agreement of their clients to participate in RESOLVE Law San Diego, and that their clients  
13 have agreed to be bound by the terms of this Stipulation.

14 5. All counsel and Parties understand and acknowledge that:

15 a. The neutrals do not represent any parties and do not provide any legal  
16 advice; rather, the neutrals are acting in a quasi-judicial capacity and have the attendant  
17 immunities;

18 b. As a purely volunteer effort, RESOLVE Law does not carry insurance of  
19 any sort for the program or its volunteer neutrals, and does not require volunteer neutrals  
20 to carry insurance; and

21 c. RESOLVE Law San Diego does not compensate the neutrals.

22 6. The Parties agree that briefing will be limited to five-page simultaneous submission  
23 with a maximum of ten pages of exhibits, unless otherwise allowed by the neutral, in the neutral’s  
24 sole discretion. The Parties agree that oral argument will be limited to one hour in the aggregate,  
25 unless otherwise allowed by the neutral, in the neutral’s sole discretion.

26 9. The Parties agree to electronic service and will be responsible for coordinating all  
27 scheduling with the neutral.

28 10. The parties agree that the neutral cannot recommend or issue sanctions.

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12. The stipulation may be executed in counterparts.

**SO AGREED AND STIPULATED.**

**LAW OFFICES OF**

Dated: May \_\_\_\_, 2020

\_\_\_\_\_, Esq.  
Attorneys for Plaintiff

**LAW OFFICES OF**

Dated: May \_\_\_\_, 2020

\_\_\_\_\_, Esq.  
Attorneys for Defendant

**IT IS SO ORDERED.**

DATED: \_\_\_\_\_

HON. \_\_\_\_\_  
JUDGE OF THE SUPERIOR COURT