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| 8 | SUPERIOR COURT OF THE S' | TATE OF CALIFORNIA | | | | |
| 9 | FOR THE COUNTY OF | 7 | | | | |
| 10 | | | | | | |
| 11 | | Case No. | | | | |
| 12 | Plaintiffs, | Stipulation and Order Appointing | | | | |
| 13 | vs. | Referee Pursuant to C.C.P. §638(a)— A General Reference | | | | |
| 14 | Defendants. | | | | | |
| 15 | | ' | | | | |
| 16 | All parties to the action have agreed to the app | ointment of (Name, address, phone, fax, and | | | | |
| 17 18 | e-mail address), as a General Reference Referee purs | suant to Code of Civil Procedure section | | | | |
| 19 | 638(b). The proposed Referee is an {active/inactive} member of the State Bar of California, SB# | | | | | |
| 20 | {}}. The proposed Referee's signature provided below, indicates {his/her} consent to serve | | | | | |
| 21 | and certification that {he/she} is aware of and will comply with the applicable provisions of canon | | | | | |
| 22 | 6 of the Code of Judicial Ethics and the California Rules of Court. | | | | | |
| 23 | The parties further stipulate and agree as follows: | | | | | |
| 24 | Scope and Subject Matter of Reference | | | | | |
| 25 | The Referee is appointed to hear and determine | e the entire case, including any and all issues | | | | |
| 26 | | the entire case, merading any and an issues | | | | |
| 27 | of fact and/or law. | | | | | |
| 28 | OR | | | | | |

The Referee is appointed to hear and determine the following issues: {Describe what findings of fact and conclusions of law the Referee is to provide in a statement of decision to the Court}.

The Referee is authorized to set the date, time, and place for all hearings determined by the referee to be necessary including trial; direct the issuance of subpoenas; preside over hearings; take evidence; and rule on objections, motions, and other requests made during the course of the hearing. The Referee is also authorized to conduct in camera inspections and to undertake such other hearings, as he/she deems appropriate.

It is also agreed between the parties that the referee shall hear and determine any and all post-trial motions in this matter, including, but not limited to, motions for new trial pursuant to CCP § 657 et seq.

OR

It is also agreed between the parties that the Court, and not the referee, shall not hear and determine any and all post -trial motions, including motions for a new trial pursuant to CCP §657 et seq.

Referee's Compensation

| The parties have agreed that Referee's compensation of \$ per hour is to be shared |
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| equally by the parties unless otherwise ordered. Each side to submit a \$ retainer to the |
| Referee no later than The retainer will be applied to the final invoice. Payment of |
| fees and costs shall be made within 30 days of receipt of invoice from the Referee. Any dispute |
| with respect to allocation shall be submitted to the Court. The Court shall retain jurisdiction after |
| dismissal of the action to hear any motion related to apportionment or nonpayment of the fees and |
| costs of the Referee. |
| |

Use of Court Facilities and Court Personnel

The use of court facilities and court personnel may not be used without an order from the Presiding Judge. The Referee is to be contacted to arrange attendance at any proceeding that is open to the public and that is conducted in a private facility or by way of phone or video conference.

Referee's Report

The Referee is to serve a statement of decision thereon in writing to the Court within {20 or___} days after the hearing, if any, has been concluded and the matter has been submitted. The statement of decision shall be filed with the Court and judgment entered thereon in the same manner as if the action had been tried by the Court.

Certification of Proposed Referee

| The undersigned conse | ents to serve as the Referee as provided above and certifies that he/she |
|--------------------------------|--|
| is aware of and will comply | with the applicable provisions of canon 6 of the Code of Judicial |
| Ethics and California Rules of | of Court. |
| Dated: | By: |
| SO STIPULATED: | |
| Dated: | By: |
| | Attorneys for |
| Dated: | By: |
| | Attorneys for |

| 1 | IT IS SO ORDERED. | | |
|----|-------------------|-----|----------------------------------|
| 2 | Dated: | By: | |
| 3 | | | Hon. Judge of the Superior Court |
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