United States District Court
Northern District of California

UNITED STATES DISTRICT COURT

Northern District of California

Tagged, Inc.,

Plaintiff(s),

v.

Fotomedia Technologies, LLC,

Defendant(s).

11-06626 MMC

NOTICE RE: NONCOMPLIANCE WITH COURT ORDER

The parties have failed to file an ADR Certification and either a Stipulation and [Proposed] Order Selecting an ADR Process or a Notice of Need for ADR Phone Conference as required by the Initial Case Management Scheduling Order. Counsel shall Meet and Confer forthwith in an attempt to agree on an ADR process for this matter. Thereafter, counsel, on behalf of themselves and each party, promptly shall file an **ADR Certification** and either 1) a **Stipulation and [Proposed] Order Selecting ADR Process**, or 2) a **Notice of Need for ADR Phone Conference** (Civil L.R. 16-8(b), ADR L. R. 3-5(b) Civil L.R. 16-8(c), ADR L. R. 3-5(c), (d)). (These forms are available at www.adr.cand.uscourts.gov.)

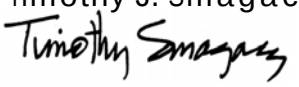
Further, in accordance with ADR L.R. 3-5(e) counsel shall concurrently provide a copy of all documents filed pursuant to this notice directly to the ADR Unit either by fax (415-522-4112), hand delivery (ADR Program, USDC, Northern District of California,

450 Golden Gate Avenue, 16th Floor, San Francisco, California), or by PDF attachment to an e-mail directed to adr@cand.uscourts.gov.

It is the responsibility of counsel to schedule an ADR Phone Conference, if required, to occur before the Case Management Conference.

Dated: May 7, 2012

RICHARD W. WIEKING
Clerk
by: Timothy J. Smagacz



ADR Program Administrator
415-522-4205
Tim_Smagacz@cand.uscourts.gov

United States District Court
Northern District of California

PROOF OF SERVICE

Case Name: Tagged, Inc. v. Fotomedia Technologies, LLC

Case Number: 11-06626 MMC

I declare that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California. I am over the age of eighteen (18) years and not a party to the action. My business address is:

ADR Program
United States District Court
Norther District of California
450 Golden Gate Avenue Floor 16
San Francisco, CA 94102

On May 7, 2012, I served a true and correct copy of:

Notice Re: Noncompliance With Court Order

[X] electronically, I caused said documents to be transmitted using ECF as specified by General Order No. 45 to the following parties:

Nicholas A Brown
Greenberg Traurig LLP
4 Embarcadero Center
Suite 3000
San Francisco, CA 94111-5983
brownn@gtlaw.com

David Bruce Perry
Kilpatrick Townsend and Stockton LLP
Two Embarcadero Center
Eighth Floor
San Francisco, CA 94111
dperry@kilpatricktownsend.com

[ ] by Facsimile, I caused said documents to be transmitted to the following parties by fax machine:

[ ] by U. S. Mail, I placed a true copy in a sealed envelope with postage fully prepaid in the United States Post Office Mail Box in San Francisco, California, addressed as follows:

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on May 7, 2012 in San Francisco, California.

RICHARD W. WIEKING
Clerk
by: Timothy J. Smagacz

ADR Program Administrator
415-522-4205
Tim_Smagacz@cand.uscourts.gov