

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

**WYNDHAM WORLDWIDE
CORPORATION, et al.,**

Defendants.

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Civil Action No. 13-1887 (ES)

**ORDER OF DESIGNATION
FOR MEDIATION**

SALAS, DISTRICT JUDGE

The Court having adopted *L.Civ.R.301.1* and Appendix Q, and this Rule having established a program for mediation of civil actions; and it appearing that mediation of this civil action would conserve the resources, and be in the best interests, of the Court and of the parties; and good cause appearing;

IT IS on this 17th day of November, 2014,

ORDERED THAT:

1. This civil action be, and hereby is, referred to mediation consistent with said Rule.
2. Counsel and the parties shall participate in mediation and shall cooperate with the mediator.
3. Counsel and the parties shall mutually participate in a private mediation program and shall cooperate with the mediator. The Court sets as mediator in this case:

Hon. Garrett E. Brown, Jr. (Ret.)
JAMS
620 Eighth Avenue, 34th Floor
New York, NY 10018

4. The parties shall split the costs of the mediation evenly.
5. Counsel and the parties (including individuals with full settlement authority) shall attend mediation sessions as requested by the mediator.
6. The mediator may meet with counsel and parties jointly or *ex parte*. All information presented to the mediator shall be deemed confidential and shall be disclosed by the mediator only upon consent of counsel, except as necessary to advise the Court of an

apparent failure to participate. The mediator shall not be subject to subpoena by any party. No statements made or documents prepared for mediation sessions shall be disclosed in any subsequent proceeding or be constructed as an admission against interests.

7. All formal discovery in this matter is stayed. *See* D.E. No. 269. However, the parties shall continue to produce third-party subpoenas, and the parties may engage in informal discovery.
8. The parties shall notify the Court immediately after the mediation has concluded.

s/ Esther Salas _____
ESTHER SALAS
United States District Judge