

**From:** AAA Marina Cortes MarinaCortes@adr.org  
**Subject:** FW: URGENT Linh Nguyen v. Lambda, Inc. - Case 01-21-0003-8509  
**Date:** February 16, 2022 at 2:34 PM



**To:** alex@defendstudents.org, jberger@cpmlegal.com, kirin@defendstudents.org, phil@calebandonian.com, phammon@mcmanslaw.com, lmoniz@mcmanslaw.com, contact@lambdaschool.com, aparkhurst@mcmanslaw.com, abastida@mcmanslaw.com

Counsel,

Below please find an email dated February 16, 2022, from Arbitrator McPharlin.

Respectfully,  
/s/  
Marina Cortes  
Case Administrator

bcc:  
Arbitrator McPharlin



**AAA Marina Cortes**  
**Case Administrator**

American Arbitration Association

T: 559 650 8224 F: 855 433 3046 E: MarinaCortes@adr.org  
45 E River Park Place West, Suite 308, Fresno, CA 93720  
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**From:** Linda McPharlin <lmcpfarlin@mstpartners.com>  
**Sent:** Wednesday, February 16, 2022 11:28 AM  
**To:** AAA Marina Cortes <MarinaCortes@adr.org>  
**Subject:** RE: URGENT Linh Nguyen v. Lambda, Inc. - Case 01-21-0003-8509

**\*\*\* External E-Mail – Use Caution \*\*\***

Please provide to the parties today:

The telephone conference with the Arbitrator on February 8, 2022 was attended by attorneys Alex Elson for Claimant, with colleagues on the line, and Patrick Hammond for Respondent.

The issue of document production was discussed, Claimant questioning whether Respondent's search for documents pursuant to search terms provided by Claimant had encompassed all responsive documents. Claimant had agreed that the search be limited to documents produced in the separate Lambda Labs case, but the resultant limited production raised the question of whether other responsive documents existed outside of those in the separate case.

As neither side's attorneys had been involved in the other case, neither could be certain of the scope of the production in that case. Respondent's attorney, not having been asked to do a wider search, could not be certain whether Respondent has other responsive documents which are not among those requested or produced in the Lambda Labs case.

To assure fundamental fairness in this arbitration matter, the Arbitrator ruled that Respondent needs to make a full search of Respondent's documents, using Claimant's search terms and the Arbitrator's earlier written direction. As Respondent does not believe that such a search can reasonably be completed in time to prepare for the February 24-25, 2022 hearing, the Arbitrator ruled that Respondent could postpone the hearing to a later date, to be established with Claimant. The parties were to promptly provide to the Arbitrator proposed additional dates for hearing.

The Arbitrator has not been notified of proposed dates. **Should the parties not propose agreed dates to AAA by 5 PM on Thursday, Feb. 17, 2022, the hearing date of February 24-25 will be vacated and a new hearing date of April 14-15, 2022 will be set.**

Linda McPharlin, Arbitrator

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**From:** AAA Marina Cortes <[MarinaCortes@adr.org](mailto:MarinaCortes@adr.org)>  
**Sent:** Wednesday, February 16, 2022 11:23 AM  
**To:** Linda McPharlin <[lmcpfarlin@mstpartners.com](mailto:lmcpfarlin@mstpartners.com)>  
**Subject:** RE: URGENT Linh Nguyen v. Lambda, Inc. - Case 01-21-0003-8509  
**Importance:** High

Arbitrator McPharlin,

I was unable to forward the email to the parties in a timely manner. Do you want to adjust the response date; if so kindly resend me the email with the new response date and I will get out to the parties asap.

Respectfully,  
/s/  
Marina Cortes  
Case Administrator



**AAA Marina Cortes**  
**Case Administrator**

American Arbitration Association

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**From:** Linda McPharlin <[lmcpfarlin@mstpartners.com](mailto:lmcpfarlin@mstpartners.com)>  
**Sent:** Wednesday, February 16, 2022 10:10 AM  
**To:** AAA Marina Cortes <[MarinaCortes@adr.org](mailto:MarinaCortes@adr.org)>  
**Subject:** URGENT Linh Nguyen v. Lambda, Inc. - Case 01-21-0003-8509

**\*\*\* External E-Mail – Use Caution \*\*\***

Marina,

Did you forward to the parties the ruling I sent you on Feb. `3, 2022? We need to get a new date for hearing, and I gave the parties until Feb. 15 to provide proposed dates.

Please notify them immediately that if I don't receive their proposed dates within 24 hours, I will cancel the Feb. 24-25 hearing and set a new hearing date of April 14-14, 2022.

Linda McPharlin

**Linda Hendrix McPharlin** | McPharlin Sprinkles & Thomas LLP  
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2/13/22

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The parties should notify AAA by not later than February 15, 2022 of the dates they propose for the continued hearing.

Linda McPharlin, Arbitrator

**Linda Hendrix McPharlin** | McPharlin Sprinkles & Thomas LLP

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