

American Arbitration Association

In the Matter of Arbitration Between:

Michael Mensch, Tyrone Bailey, Jessica Rosales, and
Courtland Walker, on behalf of themselves and all
others similarly situated

American Arbitration No.:
11 516 00995 09

and

Alta Colleges, Inc., Westwood College, Inc., Trav
Corporation d/b/a Westwood College and Westwood
College Online, Grant Corporation, d/b/a Westwood
College, Wesgray Corporation, d/b/a Westwood
College, El Nell, Inc., d/b/a Westwood College,
Paris Management Co. d/b/a Redstone College,
Elbert, Inc., d/b/a Westwood College and Bounty
Island Corporation d/b/a Redstone College

Procedural Order Number One

The parties held a Preliminary Conference by telephone on October 26, 2009. Present on the call were Arbitrator William Baker; Case Manager Jonathan Weed on behalf of the American Arbitration Association; Jilian Estes, John Yanchunis, and Jonathan Cohen on behalf of Claimants; and Peter Homer and William Ojile on behalf of Respondents.

During the call the parties agreed that they did not need any discovery prior to briefing on the issue of clause construction. The parties also set forth their respective views regarding the timing of briefing on clause construction and the date for oral argument.

Accordingly, it is Ordered as follows:

1. Claimants will submit their Opening Clause Construction Brief on November 11, 2009.

2. Respondents will submit their Responsive Clause Construction Brief on December 2, 2009.

3. Claimants will submit their Reply Claim Construction Brief, if any, on December 9, 2009.

4. Respondents will submit a packet to the Arbitrator, without any accompanying argument, consisting of the briefs and the transcript of oral argument in the *Stolt-Neilsen* case currently pending before the United States Supreme Court. This will be submitted promptly following the oral argument in that case, which is scheduled for December 5, 2009.

5. There will be a further conference call on December 18, 2009 at 2 p.m. Eastern to discuss the date for oral argument on Clause Construction, whether such argument should be in person or by phone, and any other issues that the parties may wish to raise at that time.

Dated: October 26, 2009



William H. Baker, Arbitrator