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NOTE: CHANGES MADE BY THE COURT

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

MENAGERIE PRODUCTIONS, an Oregon general partnership and REDWOLF, LLC, a South Carolina limited liability company, on behalf of themselves and all others similarly situated,

Plaintiffs,

v.

IAC/INTERACTIVECORP., a Delaware Corporation; CITYSEARCH, LLC, a Delaware limited liability company; and DOES 1 through 20, inclusive,

Defendants.

Case No. CV 08-04263 CAS (FMOx)

HON. CHRISTINA A. SNYDER

ORDER AND FINAL JUDGMENT

Hearing Date: July 18, 2011
Hearing Time: 10:00 a.m.
Courtroom: 5

ORDER AND FINAL JUDGMENT

On the 18th day of July, 2011, a hearing pursuant to Fed. R. Civ. P. 23(e) was held before this Court for the following purposes:

a. to finally determine whether the Class satisfies the applicable prerequisites for certification for settlement purposes under Fed. R. Civ. P. 23(a) and (b);

b. to determine whether the proposed settlement, as reflected in

1 the Stipulation and Settlement Agreement (the “Stipulation”) attached to the
2 motion for preliminary approval [Dkt. No. 138], is fair, reasonable, and adequate,
3 and should be finally approved by the Court;

4 c. to determine whether the proposed Order and Final Judgment
5 should be entered, and to determine whether the release by the Class, as set forth in
6 the Stipulation, should be provided;

7 d. to consider Class Counsel’s application for an award of
8 attorneys’ fees and reimbursement of expenses; and

9 e. to rule upon such other matters as the Court may deem
10 appropriate.

11 NOW, THEREFORE, IT IS HEREBY ORDERED, this 18th day of
12 July 2011, that:

13 1. The Court finds that the prerequisites under Fed. R. Civ. P. 23(a) and
14 (b)(3) have been satisfied in that: (a) the number of Class Members is
15 so numerous that joinder of all members thereof is impracticable; (b) there are
16 questions of law and fact common to the Class; (c) the claims of the
17 Plaintiffs are typical of the claims of the Class Members that they
18 represent; (d) the Plaintiffs have represented, and will fairly and adequately
19 represent, the interests of Class Members; (e) questions of law and fact
20 common to Class Members predominate over any questions
21 affecting only individual members of the Class; and (f) a class action is
22 superior to other available methods for the fair and efficient adjudication of the
23 controversy.

24 2. Accordingly, Pursuant to Fed. R. Civ. P. 23, and the Court’s prior
25 certification order, the Court hereby finally certifies this action as a class action
26 with the class defined as follows:

27 All persons or entities in the United States who purchased
28 PPC Advertising from Citysearch from May 27, 2004 to
March 21, 2011.

1 3. Furthermore, pursuant to Fed. R. Civ. P. 23, the Court hereby finally
2 certifies Plaintiffs Menagerie Productions and Redwolf, LLC (“Plaintiffs”),
3 together with Cohen IP Law Group PC (“Cohen”), the named plaintiff in the
4 related action also pending in the United States District Court for the Central
5 District of California, Case No. 2:10-cv-05994 CAS-FMO (the “*Cohen* Action”),
6 as Class Representatives for the Class and Kabateck Brown Kellner, LLP as
7 Counsel for the Class (“Class Counsel”).

8 4. Notice of the pendency of this action (the “Action”) as a class action
9 and of the Stipulation was given to all Class Members who could be identified with
10 reasonable effort. The form and method of notifying the Class of the pendency of
11 the Action as a class action and of the terms and conditions of the proposed
12 settlement embodied in the Stipulation met the requirements of Fed. R. Civ. P. 23,
13 due process, and any other applicable law, constituted the best notice practicable
14 under the circumstances, and constituted due and sufficient notice to all persons
15 and entities entitled thereto.

16 5. The Stipulation and the settlement embodied therein is approved as
17 fair, reasonable, and adequate.

18 6. The obligations incurred pursuant to the Stipulation are in full and
19 final disposition of the Action and any and all Released Claims as against all
20 Released Parties, as defined in the Stipulation.

21 7. The operative complaint in the Action, the Second Amended
22 Complaint, is hereby dismissed with prejudice as against Defendants.

23 8. Plaintiffs and all Class Members on behalf of themselves, their heirs,
24 executors, administrators, successors and assigns, hereby, with respect to each and
25 every Released Claim (as defined in the Stipulation), release and forever discharge,
26 and shall forever be enjoined from prosecuting, any Released Claims against any
27 of the Released Parties, whether or not such Plaintiffs and/or Class Members
28 execute and deliver a Claim Form.

