

Settlement Recovery Center LLC v. Valueclick Inc et al

Doc. 1

SCANNED

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FILED
CLERK, U.S. DISTRICT COURT
JUL - 5 2007
CENTRAL DISTRICT OF CALIFORNIA
BY *gpc* DEPUTY

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12 Attorneys for Plaintiffs

LODGED
CLERK, U.S. DISTRICT COURT
JUL - 2 2007
DISTRICT OF CALIFORNIA
CENTRAL DISTRICT OF CALIFORNIA

13 UNITED STATES DISTRICT COURT
14 CENTRAL DISTRICT OF CALIFORNIA
15 WESTERN DIVISION
16

17 SETTLEMENT RECOVERY CENTER,
LLC, a California Limited Liability
18 Company, Individually and on behalf of
19 all others similarly situated,

No. CV-07-2638-FMC (CTx)

20 Plaintiffs,

STIPULATION AND ~~PROPOSED~~
ORDER FOR PLAINTIFF'S
WITHDRAWAL OF PRAYER FOR
PUNITIVE DAMAGES WITHOUT
PREJUDICE

21 v.

22 VALUECLICK, INC., a Delaware
Corporation, its wholly-Owned
23 Subsidiary COMMISSION JUNCTION,
INC., and Its Wholly-Owned Subsidiary
24 BE FREE,

25 Defendants.

ORIGINAL

18

DOCKETED ON CM
JUL - 5 2007
BY *gpc* 008

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1 WHEREAS Plaintiff Settlement Recovery Center, LLC ("Plaintiff") in the
2 above-captioned-case filed a Class Action Complaint on April 20, 2007;

3 WHEREAS Plaintiff included a prayer for punitive damages in the Class
4 Action Complaint;

5 WHEREAS Defendants ValueClick, Inc., Commission Junction, Inc. and Be
6 Free ("Defendants") filed a Motion to Strike Requests for Certain Relief, including
7 Plaintiff's request for punitive damages, and served a copy of said motion on
8 Plaintiff on June 13, 2007;

9 WHEREAS Defendants' Motion to Strike Requests for Certain Relief is not
10 scheduled to be heard by this Court until July 23, 2007 at the earliest;

11 WHEREAS Plaintiff and Defendants have agreed upon Plaintiff's voluntary
12 withdrawal of its prayer for punitive damages without prejudice;

13 WHEREAS this Court has not yet certified the class in the above-captioned
14 prospective class action.

15 NOW THEREFORE IT IS STIPULATED AND AGREED THAT:

16 1. Plaintiff hereby voluntarily withdraws, without prejudice, its prayer
17 for punitive damages set forth in the above-captioned Class Action Complaint.

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DATED: 6/28/07

Kassra P. Nassiri
Charles H. Jung
NASSIRI & JUNG LLP

By: 
Kassra P. Nassiri

Attorneys for Plaintiff
SETTLEMENT RECOVERY CENTER,
LLC

DATED: 6/27/07

G. Charles Nierlich
GIBSON, DUNN & CRUTCHER LLP

By: 
G. Charles Nierlich

Attorneys For Defendants
VALUECLICK, INC., COMMISSION
JUNCTION, INC., and BE FREE

This Court hereby GRANTS the parties' request that Plaintiff be allowed to
withdraw, without prejudice, its prayer for punitive damages from the above-
captioned Class Action Complaint.

DATE: 7-5-07



Honorable Florence-Marie Cooper

DECLARATION OF SERVICE BY MAIL

SEMAED

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I, the undersigned, declare:

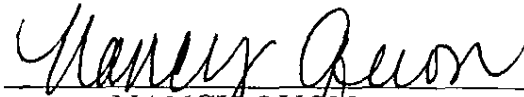
1. That declarant is and was, at all times herein mentioned, a citizen of the United States and is employed in the city of San Francisco, California, over the age of 18 years, and not a party to or interested in the within action; that declarant's business address is 715 Hearst Avenue, Suite 202, Berkeley, CA 94710.

2. That on June 29, 2007, declarant served the foregoing document by U.S. Mail by placing a true copy thereof in a sealed envelope addressed to the parties listed on the attached Service List.

3. That there is a regular communication by mail between the place of mailing and the places so addressed.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 29th day of June, 2007, at Berkeley, California.



NANCY QUON

Settlement Recovery Center, LLC v. Valueclick, Inc., et al.
Case No. CV-07-02638-FMC (CT)

Service List
June 13, 2007

001969-12

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