

Mireille Carrier v. Valueclick, Inc. et al

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12 Attorneys for Plaintiffs

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

17 MIREILLE CARRIER, Individually and  
on behalf of all others similarly situated,  
18 Plaintiffs,  
19

20 v.

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

24 Defendants.  
25

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

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

No. CV-07-2641-FMC (CTx)

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

ORIGINAL

19

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

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SCANNED

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1 WHEREAS Plaintiff Mireille Carrier ("Plaintiff") in the above-captioned  
2 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  
MIREILLE CARRIER

DATED: 6/28/07

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: July 5, 2007



Honorable Florence-Marie Cooper

DECLARATION OF SERVICE BY MAIL

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I, the undersigned, declare:

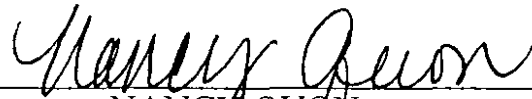
1. That declarant is and was, at all times herein mentioned, a citizen of the United States and is employed in the city of San Francisco, California, over the age of 18 years, and not a party to or interested in the within action; that declarant's business address is 715 Hearst Avenue, Suite 202, Berkeley,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

FILED  
JUL 5 2007  
CLERK OF COURT

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

Service List  
June 13, 2007

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