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11 Attorneys for Defendant
 12 YELP! INC.

13 UNITED STATES DISTRICT COURT
 14 NORTHERN DISTRICT OF CALIFORNIA
 15 SAN FRANCISCO DIVISION

17 JUSTIN LARKIN, ANTHONY
 18 TIJERINO, and AHMAD DEANES, on
 behalf of themselves and all others
 19 similarly situated,

20 Plaintiffs,

21 v.

22 YELP! INC.,

23 Defendant.

CASE NO. CV 11-1503 EMC

**STIPULATION AND [PROPOSED]
 ORDER TO STAY CASE PENDING
 MEDIATION AND RESETTING CMC**

**FOR 12/2/11
 Honorable Edward M. Chen**

1 WHEREAS, Plaintiffs have filed this putative class and collective action alleging
2 state and federal wage and hour claims concerning their employment with Defendant Yelp! Inc.;

3 WHEREAS, the parties previously stipulated that the deadline for Defendant to
4 respond to the complaint would be extended to May 10, 2011;

5 WHEREAS, the parties, through their counsel, have met and conferred about
6 conducting a mediation, and the parties have agreed to schedule a mediation with a private
7 mediator specializing in these types of actions;

8 WHEREAS, the parties agree that it would serve efficiency interests and preserve
9 judicial and party resources to stay this action pending the anticipated mediation;

10 WHEREAS, the parties have met and conferred and reached agreement on issues
11 concerning tolling of Plaintiffs' federal claims under the Fair Labor Standards Act;

12 WHEREAS, the parties anticipate that, mainly as the result of mediator
13 availability, it will take ninety (90) to one hundred twenty (120) days to complete the anticipated
14 mediation, and therefore propose that they be required to report back to the Court on the status of
15 the mediation and stay within that time frame;

16 WHEREAS, the parties, through their counsel of record, stipulate as follow:

17 IT IS HEREBY STIPULATED that the parties jointly and respectfully request an
18 order stating that (a) the entire action is stayed pending the anticipated mediation in this matter;
19 (b) Defendant's deadline to answer or otherwise respond to the complaint is hereby postponed
20 until twenty (20) days after the lifting of the stay; (c) the parties are required to submit a report on
21 the status of the mediation and the continued propriety of the stay within one hundred twenty
22 (120) days of the order; and (d) the stay shall expire in the event any party fails to execute or
23 revokes the FLSA tolling agreement.

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DATED: May 11, 2011

RUKIN HYLAND DORIA & TINDALL LLP

By: /s/ Peter Rukin

Peter Rukin
Attorneys for Plaintiffs

DATED: May 11, 2011

MUNGER, TOLLES & OLSON LLP
MALCOLM A. HEINICKE
CAROLYN V. ZABRYCKI

By: /s/ Malcolm A. Heinicke

Malcolm A. Heinicke
Attorneys for Defendant

CERTIFICATION

I, Malcolm A. Heinicke, am the ECF User whose identification and password are being used to file this STIPULATION AND [PROPOSED] ORDER TO STAY CASE PENDING MEDIATION. In compliance with General Order 45.X.B., I hereby attest that Peter Rukin concurred in this filing.

PURSUANT TO STIPULATION, IT IS SO ORDERED. Specifically, the Court orders that (a) the action is stayed pending the anticipated mediation in this matter; (b) Defendant's deadline to answer or otherwise respond to the complaint is hereby postponed until twenty (20) days after the lifting of this stay; (c) the parties shall submit a report on the status of the mediation and the continued propriety of the stay within one hundred twenty (120) days of this Order; and (d) the stay shall expire in the event any party fails to execute or revokes the FLSA tolling agreement. The CMC is reset for 12/2/11 at 2:00 p.m. A joint CMC statement shall be filed by 11/25/11.

DATED: May 24, 2011

