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17 OPENTABLE, INC.

18 UNITED STATES DISTRICT COURT
19 NORTHERN DISTRICT OF CALIFORNIA
20

21 WILLIAM FARRELL, on his own behalf and
22 on behalf of all other similarly situated,

23 Plaintiff,

24 v.

25 OPENTABLE, INC., a Delaware corporation,
d/b/a OpenTable.com,

26 Defendant.
27
28

Case No. C 11-01785-SI

**STIPULATION AND ~~PROPOSED~~ ORDER
SETTING DATE FOR FILING OF
PLAINTIFF'S MOTION FOR FINAL
APPROVAL OF CLASS ACTION
SETTLEMENT**

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WHEREAS, Plaintiff and OpenTable (collectively, the “Parties”) reached a settlement of this Class Action, the terms of which were memorialized in an agreement “(Agreement”) between the Parties (Dkt. 26-1 – 26-5);

WHEREAS, the Agreement specifies that Plaintiff shall submit his papers in support of final approval “according to the briefing schedule set forth in Local Rules 7-2 and 7-3[,]” namely 35 calendar days before the final approval hearing date;

WHEREAS, Plaintiff requested that OpenTable stipulate to continue the deadline for the filing of Plaintiff's papers in support of final approval to January 6, 2012 so that Plaintiff can address the recently filed objection to the Agreement in the same brief as his motion for final approval and in light of the upcoming winter holidays; and

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EDELSON MCGUIRE LLC

COOLEY LLP

Attorneys for Defendant
OPENTABLE, INC.

Plaintiff shall file his Motion for Final Approval of Class Action Settlement on 1/6/12. Any statement regarding (non-opposition to) the Agreement that OpenTable may wish to file is also due on 1/6/12.

Susan Blanton

THE HONORABLE SUSAN ILLSTON
U.S. DISTRICT COURT JUDGE

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FILER’S ATTESTATION

Pursuant to General Order No. 45, Section X, Subparagraph B, the undersigned attests that all parties have concurred in the filing of this Stipulation and [Proposed] Order Setting Date For Filing Plaintiff’s Motion For Approval Of Class Action Settlement.

Dated: December 13, 2011 EDELSON MCGUIRE, LLC

s/ **William C. Gray**
William C. Gray (Pro Hac Vice).

Attorneys for Plaintiff
William Farrell

734171/SD