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16	Attorneys for Defendant				
17	OPENTABLE, INC.				
18	UNITED STATES DISTRICT COURT				
19	NORTHERN DISTR	ICT OF CALIFORNIA			
20					
21	WILLIAM FARRELL, on his own behalf and	Case No. C 11-01785-SI			
22	on behalf of all other similarly situated,	STIPULATION AND [ <b>P<del>kop</del>osed</b> ] Order Setting Date For Filing Of Plaintiff's Motion For Final Approval of Class Action Settlement			
23	Plaintiff,				
24	V.				
25	OPENTABLE, INC., a Delaware corporation, d/b/a OpenTable.com,				
26	Defendant.				
27					
28					
	N.D. CAL. CASE NO. C 11-01785-SI	STIP. AND [PROPOSED] ORDER SETTING DATE FOR FILING OF PLAINTIFF'S MOT. FOR FINAL APPROVAL OF CLASS ACTION SETTLEMENT			

1	RECITALS			
2	WHEREAS, on April 12, 2011, plaintiff William Farrell ("Plaintiff") filed a putative class			
3	action lawsuit against defendant OpenTable, Inc. ("OpenTable");			
4	WHEREAS, Plaintiff and OpenTable (collectively, the "Parties") reached a settlement of			
5	this Class Action, the terms of which were memorialized in an agreement "(Agreement") between			
6	the Parties (Dkt. 26-1 – 26-5);			
7	WHEREAS, this Court granted Preliminary Approval of Class Action Settlement and			
8	Class Certification on September 27, 2011 (Dkt. 29);			
9	WHEREAS, the Agreement specifies that Plaintiff shall submit his papers in support of			
10	final approval "according to the briefing schedule set forth in Local Rules 7-2 and 7-3[,]" namely			
11	35 calendar days before the final approval hearing date;			
12	WHEREAS, this Court set the hearing for final approval of the Agreement on January 20,			
13	2012;			
14	WHEREAS, Plaintiff requested that OpenTable stipulate to continue the deadline for the			
15	filing of Plaintiff's papers in support of final approval to January 6, 2012 so that Plaintiff can			
16	address the recently filed objection to the Agreement in the same brief as his motion for final			
17	approval and in light of the upcoming winter holidays; and			
18	WHEREAS, OpenTable is amenable to granting Plaintiff an extension until January 6,			
19	2012 to file his papers in support of final approval, so long as OpenTable's deadline to file any			
20	statement regarding (non-opposition to) the Agreement is also extended until January 6, 2012.			
21	///			
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	N.D. CAL. CASE NO. C 11-01785-SIStip. and [Proposed] Order Setting Date2.For Filing Of Plaintiff's Mot. For Final			

APPROVAL OF CLASS ACTION SETTLEMENT

1	STIPULATION		
2	NOW THEREFORE, it is stipulated and agreed to between the Parties that they shall		
3	jointly request the Court to continue the deadline for Plaintiff to file his papers in support of final		
4	approval to January 6, 2012. The Parties further stipulate and agree to request the Court to		
5	continue the deadline for OpenTable to file any statement regarding (non-opposition to) the		
6	Agreement until January 6, 2012.		
7	Dated: December 13, 2011 EDELSON MCGUIRE LLC		
8			
9	s/ William C. Gray		
10	WILLIAM C. GRAY (Pro Hac Vice)		
11	Attorneys for Plaintiff WILLIAM FARRELL		
12	Dated: December 13, 2011 COOLEY LLP		
13			
14	s/ Michelle C. Doolin		
15	Michelle C. Doolin (179445)		
16	Attorneys for Defendant OPENTABLE, INC.		
17	[PROPOSED] ORDER		
18	Plaintiff shall file his Motion for Final Approval of Class Action Settlement on		
19	<u>1/6/12</u> . Any statement regarding (non-opposition to) the Agreement that OpenTable may		
20	wish to file is also due on $1/6/12$ .		
21			
22	PURSUANT TO STIPULATION, IT IS SO ORDERED.		
23			
24	$\frac{12/16/11}{10000000000000000000000000000000000$		
25	DATED THE HONORABLE SUSAN ILLSTON U.S. DISTRICT COURT JUDGE		
26			
27			
28	N.D. CAL. CASE NO. C 11-01785-SI 3. FOR FILING OF PLAINTIFF'S MOT. FOR FINAL APPROVAL OF CLASS ACTION SETTLEMENT		

1	1 FILER'S ATTESTATIO	FILER'S ATTESTATION		
2		Pursuant to General Order No. 45, Section X, Subparagraph B, the undersigned attests that		
3		all parties have concurred in the filing of this Stipulation and [Proposed] Order Setting Date For		
4	4 Filing Plaintiff's Motion For Approval Of Class Action Settle	Filing Plaintiff's Motion For Approval Of Class Action Settlement.		
5				
6	6 Dated: December 13, 2011 EDELSON MC	CGUIRE, LLC		
7				
8	8 <u>s</u> / William C. Gra	Gray y (Pro Hac Vice).		
9		laintiff		
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28	STI N.D. CAL. CASE NO. C 11-01785-SI 4. FOI	P. AND [PROPOSED] ORDER SETTING DATE & Filing Of Plaintiff's Mot. For Final Approval of Class Action Settlement		