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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

ROSALINA C. RELENTE AND TRAVIS R.
 ANDERSON, individually and on behalf of all
 others similarly situated,

Plaintiffs,

v.

VIATOR, INC., a corporation, and DOES 1-100,
 inclusive,

Defendants.

Case No. CV 12-5868 JSW

CLASS ACTION

**STIPULATION AND
~~PROPOSED~~ PROTECTIVE
 ORDER REGARDING
 CUSTOMER INFORMATION**

Hon. Jeffrey S. White

1 Pursuant to Civil Local Rule 7-12, the parties, Plaintiffs Rosalina Relente and Travis
2 Anderson (“Plaintiffs”) and Defendant Viator, Inc. (“Defendant”), by and through their
3 undersigned counsel of record, submit the following stipulation and proposed order:

4 WHEREAS, Plaintiffs have requested personally identifying information (“Personal
5 Information”) of Defendant’s customers, including their names, addresses, email addresses, and
6 phone numbers, and documents and records that may contain such Information;

7 WHEREAS, pursuant to Defendant’s website privacy policy, Defendant may only
8 disclose its customers’ Personal Information in limited circumstances; and

9 WHEREAS, in accordance with Defendant’s privacy policy, and to protect the Personal
10 Information of Defendant’s customers, the parties have agreed that Defendant will provide
11 Plaintiffs with its customers’ Personal Information, and responsive documents and records that
12 may contain such Information, pursuant to a protective order similar to that entered in *York v.*
13 *Starbucks Corp.*, No. CV 08-7919-GAF (PJWx), 2009 WL 3177605, at *2 (C.D. Cal. June 30,
14 2009), on the terms set forth herein and subject to the Court’s approval.

15 IT IS HEREBY STIPULATED AND AGREED among the undersigned parties that:

16 1. Plaintiffs’ counsel will inform each customer contacted by Plaintiffs at the outset of
17 the initial contact with that customer—whether in writing, by email, on the phone, or in person—
18 that the customer has a right not to talk to counsel and that, if he or she elects not to talk to
19 counsel, Plaintiffs’ counsel will terminate the contact and not contact that customer again.

20 2. Plaintiffs’ counsel will also inform the customer at this time that his or her refusal to
21 speak with counsel will not prejudice his or her rights as a class member should the Court certify
22 the class.

23 3. Plaintiffs’ counsel will prepare and retain lists of all customers contacted and those
24 customers who made it known that they did not want to be contacted, and will provide the lists to
25 the Court if requested to do so.

26 4. Plaintiffs will only use Defendant’s customers’ Personal Information for the
27 purposes of this action and will not disseminate this information to anyone not necessary to the
28 prosecution of this action.

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Dated: February 19, 2014

WESLEY E. OVERSON
REBEKAH KAUFMAN
COLETTE M. COLES
MORRISON & FOERSTER LLP

By: /s/ Rebekah Kaufman
Rebekah Kaufman

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By: /s/ James M. Sitkin
James M. Sitkin

Attorneys for Plaintiffs
ROSALINA C. RELENTE, TRAVIS R.
ANDERSON and all others similarly
situated

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SIGNATURE ATTESTATION

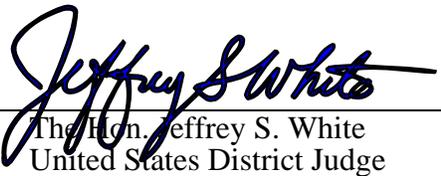
I, Rebekah Kaufman, am the ECF User whose ID and password are being used to file this Stipulation and [Proposed] Order Regarding Briefing Schedule for Defendant Viator, Inc.'s Motion to Dismiss Complaint. In compliance with Civil Local Rule 5-1(i)(3), I hereby attest that James M. Sitkin has concurred in this filing.

/s/ Rebekah Kaufman
Rebekah Kaufman

~~**PROPOSED**~~ ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED

Dated: February 25, 2014


The Hon. Jeffrey S. White
United States District Judge