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7 Attorneys for Defendants
 8 YELP INC., JEREMY STOPPELMAN, ROB KROLIK and
 9 GEOFFREY DONAKER

10 **UNITED STATES DISTRICT COURT**
 11 **NORTHERN DISTRICT OF CALIFORNIA**

13 JOSEPH CURRY, Individually and on Behalf of
 14 All Others Similarly Situated,

15 Plaintiff,

16 vs.

17 YELP INC., JEREMY STOPPELMAN, ROB
 18 KROLIK and GEOFFREY DONAKER,

19 Defendants.

Case No. 3:14-cv-03547

CLASS ACTION

**STIPULATION AND ~~PROPOSED~~
 ORDER CONTINUING THE
 OCTOBER 29, 2015 HEARING ON
 DEFENDANTS' MOTION TO DISMISS
 THE FIRST AMENDED COMPLAINT**

1 WHEREAS, on May 21, 2015, Plaintiffs' filed their First Amended Class Action
2 Complaint (Dkt. No. 55);

3 WHEREAS, on May 28, 2015, the parties filed a stipulation and proposed order providing
4 for a briefing and hearing schedule that took into account scheduling conflicts of counsel,
5 personal medical issues and planned summer vacations (Dkt. No. 57);

6 WHEREAS, that proposed briefing and hearing schedule provided for the hearing on
7 Defendants' Motion To Dismiss The First Amended Complaint to be set for September 15, 2015
8 at 2:00 p.m.;

9 WHEREAS, on May 29, 2015 the Court so-ordered the proposed briefing and hearing
10 schedule (Dkt. No. 58);

11 WHEREAS, on June 26, 2015, the Court, on its own motion, continued the hearing on
12 Defendants' Motion To Dismiss the First Amended Complaint to October 1, 2015, due to a
13 change in its availability;

14 WHEREAS, Defendants' counsel was unavailable on October 1, 2015, and, pursuant to
15 the parties' stipulation, the Court continued the hearing to October 22;

16 WHEREAS, on September 29, the Court, on its own motion, rescheduled oral argument
17 to October 29 (Dkt. No. 66);

18 WHEREAS, October 29 presents a conflict for counsel who will be arguing the motion for
19 defendants, as he has a hearing scheduled in Alaska Superior Court in Anchorage and will be
20 unable to return in time for this hearing date;

21 WHEREAS, the parties have met and conferred and reviewed the court's calendar as to its
22 availability and the calendars of counsel and clients who must be at the hearing, and have agreed
23 to propose to the Court the following potential hearing dates: November 10 or December 3.

24 **NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, SUBJECT**
25 **TO APPROVAL BY THIS COURT**, by the parties through their respective counsel of record,
26 as follows:

1 1. The hearing on Defendants’ motion to dismiss shall be re-set for [see above]
2 at [].;

3 2. The parties have not previously continued the last noticed hearing date on
4 Defendants’ Motion To Dismiss the First Amended Complaint; and

5 3. The parties do not seek to continue this date for the purpose of delay. The
6 proposed new date will not have an effect on any pre-trial and trial dates as the Court has yet to
7 schedule these dates.

8 SO STIPULATED.

9
10 DATED: October 7, 2015

 /s/ Gilbert R. Serota

GILBERT R. SEROTA
Arnold & Porter LLP
Counsel for Defendants

11
12
13 DATED: October 7, 2015

 /s/ Shawn Williams

SHAWN WILLIAMS
ROBINS GELLER RUDMAN & DOWD LLP
Counsel for Plaintiff Joseph Curry

