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17 – and –

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25 **UNITED STATES DISTRICT COURT**  
 26 **NORTHERN DISTRICT OF CALIFORNIA**

27 JOSEPH CURRY, Individually and on Behalf  
 28 of All Others Similarly Situated,

Plaintiff,

v.

YELP INC., JEREMY STOPPELMAN,  
 ROBERT J. KROLIK and GEOFFREY  
 DONAKER

Defendants.

Case No. 3:14-cv-03547-JST

**STIPULATION AND ~~PROPOSED~~ ORDER TO  
 CONTINUE THE INITIAL CASE  
 MANAGEMENT CONFERENCE, RESET  
 RELATED DEADLINES, AND EXTEND  
 DEFENDANTS' TIME TO RESPOND TO THE  
 COMPLAINT**

WHEREAS, on August 6, 2014, Plaintiff Joseph Curry filed a putative class action complaint (the "Complaint") in the above-captioned action against defendants Yelp Inc., Jeremy Stoppelman, Robert J. Krolik and Geoffrey Donaker ("Defendants"), for violations of Sections 10(b) and 20(a) of the Securities Exchange Act of 1934;

1 WHEREAS, on August 25, 2014, Plaintiff Mary Adams also filed a similar putative class  
2 action complaint (the “Adams Complaint”) in a separate action, Case No. 3:14-cv-03832-EMC,  
3 against Defendants, asserting the same or substantially similar violations of Sections 10(b) and  
4 20(a) of the Securities Exchange Act of 1934;

5 WHEREAS, the action is subject to the Private Securities Litigation Reform Act of 1995  
6 (the “PSLRA”), 15 U.S.C. §78u-4, which establishes the procedure by which members of the  
7 purported class may seek appointment as lead plaintiff (“Lead Plaintiff”);

8 WHEREAS, the PSLRA’s procedure requires plaintiff to publish a notice advising  
9 putative class members of, amongst other things, the filing of the action within 20 days from the  
10 date on which the first complaint is filed (“the Notice”), and sets a deadline for motions to serve  
11 as Lead Plaintiff to be filed not later than 60 days after the publication of the Notice and that the  
12 Court will consider such motions not later than 90 days after the publication of the notice,  
13 15 U.S.C. §§78u-4(a)(3)(A)(i)-(ii), (B)(i);

14 WHEREAS, the parties anticipate that one or more motions for Lead Plaintiff will be filed  
15 and that the Court will relate and consolidate the above-mentioned cases;

16 WHEREAS, in the interests of judicial economy and conserving the resources of the  
17 parties and the Court, all parties agree that no answer, motion, or other response to the Complaint  
18 currently on file should be due until after the Court has appointed one or more Lead Plaintiffs and  
19 approved selection of lead counsel to represent the purported class (“Lead Counsel”) and Lead  
20 Plaintiff and Lead Counsel have had the opportunity to prepare a consolidated complaint and/or  
21 to consider whether to proceed on the Complaint currently on file; and

22 WHEREAS, the parties believe that, in order to avoid the needless waste of the Court’s  
23 and the parties’ resources, it would be prudent to defer the initial case management conference  
24 and related deadlines (including ADR deadlines) until a Lead Plaintiff has been appointed, the  
25 Lead Plaintiff’s selection of Lead Counsel has been approved, the Lead Plaintiff has filed a  
26 consolidated complaint, Defendants have had the opportunity to file any motion to dismiss, and  
27 the Court has ruled on Defendants’ anticipated motion to dismiss.

1           **NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED** as follows:

2           1.       Defendants shall not be required to move or otherwise respond to the Complaint  
3 until a date set after the appointment of a Lead Plaintiff pursuant to 15 U.S.C. §78u-4(a)(3)(B)  
4 and after the filing by such Lead Plaintiff of a consolidated complaint. Pursuant to Local  
5 Rule 6-1(a), this paragraph shall be effective upon the filing of this Stipulation with the Court.

6           2.       Following the appointment of Lead Plaintiff, Defendants and counsel for Lead  
7 Plaintiff will meet and confer in good faith to establish a schedule for the filing of a consolidated  
8 complaint and for Defendants' response thereto.

9           3.       ~~The case management conference presently scheduled in the above captioned~~  
10 ~~action for November 12, 2014, along with any associated deadlines under the Federal Rules of~~  
11 ~~Civil Procedure and Local Rules (including ADR deadlines), shall be vacated, and reset to a date~~  
12 ~~after the Court rules on Defendants' anticipated motion to dismiss the consolidated complaint.~~

13 The case management conference currently scheduled for November 12, 2014, is hereby  
14 CONTINUED to April 29, 2015, at 2:00 p.m., Courtroom 9, 19th Floor, 450 Golden Gate  
15 Avenue, San Francisco, California. All deadlines which are normally calculated from the date of  
16 the initial case management conference under the Federal Rules of Civil Procedure or Civil Local  
17 Rules (including ADR deadlines) are VACATED. A joint case management statement is due  
18 April 17, 2015. In that statement, the parties shall include in their proposed schedule the  
19 reinstatement of those vacated dates. The parties may move to further continue, or advance, the  
20 case management conference, as appropriate, based on the pendency of any motions to  
21 consolidate, designate a lead plaintiff, or dismiss a consolidated complaint

22           4.       This Stipulation is entered into without prejudice to any party seeking any interim  
23 relief.

24           5.       No party is waiving any rights, claims, or defenses of any kind except as expressly  
25 stated herein, and the parties reserve the right to seek further extensions of time as circumstances  
26 may warrant.

27           6.       The Parties have not sought any other extensions of time in this action.

28           7.       The Parties do not seek to reset these dates for the purpose of delay, and the

1 proposed new dates will not have an effect on any pre-trial and trial dates as the Court has yet to  
2 schedule these dates.

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**IT IS SO STIPULATED.**

DATED: August 29, 2014

**ROBBINS GELLER RUDMAN & DOWD LLP**

By: s/ Shawn A. Williams  
Shawn A. Williams

DATED: August 29, 2014

**YELP INC.**

By: s/ Aaron Schur  
Aaron Schur

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**ATTESTATION (CIVIL LOCAL RULE 5-1(i)(3))**

In accordance with Civil Local Rule 5-1(i)(3), I attest that concurrence in the filing of this document has been obtained from Aaron Schur.

DATED: August 29, 2014

**ROBBINS GELLER RUDMAN & DOWD LLP**

By: s/ Shawn A. Williams  
Shawn A. Williams

Attorneys for Plaintiff

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**PURSUANT TO STIPULATION, IT IS SO ORDERED**

DATED: September 2, 2014

