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 LeadClick Media, Inc.

8  
 9 UNITED STATES DISTRICT COURT  
 10 NORTHERN DISTRICT OF CALIFORNIA  
 11 OAKLAND DIVISION

12 CHRISTOPHER KRAMER, individually  
 13 and on behalf of all others similarly  
 14 situated,

15 Plaintiff,

16 v.

17 AUTOBYTEL, INC., a Delaware  
 corporation; B2MOBILE, LLC, a  
 18 California limited liability company; and  
 19 LEADCLICK MEDIA, INC., a California  
 20 corporation,

21 Defendants.

Case No. C10-02722-CW

**JOINT STIPULATION AND ORDER  
 FURTHER EXTENDING  
 DEADLINES RE SETTLEMENT  
 AGREEMENTS AND MOTION FOR  
 PRELIMINARY APPROVAL OF  
 CLASS ACTION SETTLEMENT**

Honorable Claudia Wilken, Ctrm. 2

Complaint Filed: November 17, 2009

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REED SMITH LLP  
 A limited liability partnership formed in the State of Delaware

1 Plaintiff Christopher Kramer, (“Plaintiff” or “Kramer”) and Defendants  
2 B2Mobile, LLC (“B2M”) and LeadClick Media, Inc. (“LeadClick”) (collectively  
3 referred to as the “Parties”) enter into this joint stipulation with reference to the  
4 following facts:

5 **RECITALS**

6 A. WHEREAS the Court’s Minute Order and Case Management Order  
7 entered on January 4, 2011, sets forth a number of dates and deadlines, including a  
8 deadline for completion of private mediation on March 31, 2011;

9 B. WHEREAS on March 29, 2011, the Parties participated in a day-long  
10 mediation conducted by Professor Eric D. Green of Resolutions, LLC;

11 C. WHEREAS the Parties reached a proposed settlement during the  
12 mediation with the assistance of Professor Green;

13 D. WHEREAS on April 5, 2011, the Court entered an Order vacating dates  
14 and deadlines in the Minute Order and Case Management Order entered on January 4,  
15 2011;

16 E. WHEREAS pursuant to the Court’s Order and as agreed by stipulation of  
17 the Parties, the deadline to finalize settlement agreements is 45 days from the Court’s  
18 Order entered on April 5, 2011, which is May 20, 2011 and extended to June 20,  
19 2011;

20 F. WHEREAS pursuant to the Court’s Order and as agreed by stipulation of  
21 the Parties, the deadline to prepare and file a motion for preliminary approval of the  
22 class action settlement is 60 days from the Court’s Order entered on April 5, 2011,  
23 which is June 3, 2011 and extended to July 8, 2011;

24 G. WHEREAS the Parties have reviewed and discussed the settlement class  
25 administrator proposals submitted to them in this matter and have agreed to retain the  
26 services of Kinsella Media to handle the notice to the Settlement Class and Rust  
27 Consulting as Class Settlement Administrator. WHEREAS Kinsella needs additional  
28

1 time to provide their input to counsel and make final revisions to the class notice  
2 documents.

3 H. WHEREAS the Parties continue to exchange revisions of the draft  
4 settlement agreement and related documents and are continuing to work diligently in  
5 finalizing their settlement agreement, but due to the complexity of the matter, the  
6 Parties are in need of additional time to time to finalize the settlement agreements;

7 I. WHEREAS the Plaintiff needs time after the settlement agreement has  
8 been signed to prepare and file a motion for preliminary approval of the class action  
9 settlement.

10 J. WHEREAS the Plaintiff intends to request a hearing date of July 21,  
11 2011, for his motion for preliminary approval in order to efficiently meet the notice  
12 deadlines anticipated by Kinsella's notice proposal.

13 K. WHEREAS the Parties expect that the settlement agreements will be  
14 signed and the motion for preliminary approval of the class action settlement will be  
15 filed well in advance of the Case Management Conference scheduled by the Court on  
16 July 26, 2011; and

17 L. WHEREAS the Parties are confident that no further extensions will be  
18 required in order to finalize the class action settlement agreement.

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20 **STIPULATION**

21 **NOW, THEREFORE**, it is hereby stipulated by the Parties, through their  
22 respective counsel of record, as follows:

23 1. The deadline for the Parties to finalize settlement agreements is extended  
24 from June 20, 2011 to July 15, 2011; and

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1           2.       The deadline for the Plaintiff to prepare and file a motion for preliminary  
2 approval of the class action settlement is extended from July 8, 2011 to July 22, 2011.

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4                   **IT IS SO STIPULATED.**

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6 DATED: June 16, 2011.

EDELSON McGUIRE, LLC

By \_\_\_\_\_ / S / Ryan D. Andrews

Ryan D. Andrews  
Christopher Dore  
Michael J. McMorrow  
Sean Reis  
Attorneys for Plaintiff  
Christopher Kramer

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11 DATED: June 16, 2011.

SUMMIT LAW GROUP PLLC

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16 DATED: June 16, 2011.

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21 DATED: June 16, 2011.

REED SMITH LLP


By \_\_\_\_\_ / S / Roxanne M. Wilson

Roxanne M. Wilson  
Attorneys for Defendant  
LeadClick Media, Inc.

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24                   **ORDER**

25                   Based on the above Stipulation, **IT IS SO ORDERED.**

26  
27 DATED:         June 20        , 2011

  
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The Honorable Claudia Wilken  
United States District Court Judge