

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

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

Plaintiff,

v.

AUTOBYTEL, INC., a Delaware corporation,
and B2MOBILE, LLC, a California limited
liability company, and LEADCLICK MEDIA,
INC., a California corporation,

Defendants.

No. 10-cv-02722-CW

**STIPULATION TO ADVANCE
PRELIMINARY APPROVAL
HEARING**

Honorable Claudia A. Wilken

STIPULATION TO ADVANCE PRELIMINARY APPROVAL HEARING

Pursuant to Local Rule 6-1, the Parties stipulate to have Plaintiff's Motion for Preliminary Approval of Class Action Settlement Agreement, filed with the Court on July 18, 2011 (Dkt. No. 121), heard July 28, 2011, rather the 35 days' notice otherwise required by Local Rule 7-2(a).

Respectfully Submitted,

DATED: July 18, 2011.

EDELSON McGUIRE, LLC

By /s/ Christopher L. Dore

Christopher L. Dore
Ryan D. Andrews
Attorneys for Plaintiff
Christopher Kramer

DATED: July 18, 2011.

SUMMIT LAW GROUP PLLC

By /s/ Philip S. McCune

Philip S. McCune
Molly A. Terwilliger
Attorneys for Defendant
B2Mobile, LLC

1 DATED: July 18, 2011.

REED SMITH LLP

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3 By /s/ Roxanne M. Wilson
4 Roxanne M. Wilson
5 Jack R. Nelson
6 Attorneys for Defendant
7 LeadClick Media, Inc.
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14 **ORDER**

15 Pursuant to stipulation and for good cause shown, **IT IS SO ORDERED.**

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18 DATED: July 19, 2011


19 The Honorable Claudia Wilken
20 United States District Court Judge
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1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF CALIFORNIA

3 CHRISTOPHER KRAMER, individually and)
4 on behalf of all others similarly situated,)

5 Plaintiff,)

6 v.)

7 AUTOBYTEL, INC., a Delaware corporation,)
8 and B2MOBILE, LLC, a California limited)
9 liability company, and LEADCLICK MEDIA,)
10 INC., a California corporation,)

11 Defendants.)

No. 10-cv-02722-CW

**DECLARATION IN SUPPORT
OF STIPULATION TO
ADVANCE PRELIMINARY
APPROVAL HEARING**

Honorable Claudia A. Wilken

11 **DECLARATION OF CHRISTOPHER L. DORE IN SUPPORT OF STIPULATION TO**
12 **ADVANCE PRELIMINARY APPROVAL HEARING**

13 Pursuant to 28 U.S.C. § 1746, I, Christopher L. Dore, hereby declare and state as follows:

14 1. I am an attorney admitted to practice in the State of Illinois and have been
15 admitted *pro hac vice* in this matter. I am entering this declaration in support of the Parties'
16 Stipulation to Advance Preliminary Approval Hearing. I am fully competent to make this
17 declaration. This declaration is based upon my personal knowledge, except where expressly
18 noted otherwise.

19 2. The Parties seek to advance the Preliminary Approval hearing based on deadlines
20 set forth by Rust Consulting and Kinsella Media to accomplish the publication portion of the
21 Notice Plan called for in the Settlement Agreement. Should the Court grant Preliminary
22 Approval to the Settlement Agreement at a later hearing date than July 28, 2011, publication
23 notice will be materially postponed by up to two months.

24 3. The Parties have requested a limited number of timing changes during the course
25 of this case, all of which were made in good faith and based on reasonable need. The
26 modifications include: (1) extension of time for Defendants to respond to Plaintiff's complaint
27 (Dkt. No. 29); (2) modification of the briefing schedule for Defendants' motions to dismiss (Dkt.
28 No. 61); (3) modification of the briefing schedule for Defendants' motions to dismiss as it

1 applied to the United States intervention (Dkt. No. 82); (4) joint stipulation to vacate dates
2 pending class action settlement (Dkt. No. 111); (5) extension of deadlines regarding the
3 settlement agreement and preliminary approval motion (Dkt. No. 113); and (6) further extension
4 of deadlines regarding the settlement agreement and preliminary approval motion (Dkt. No.
5 115).

6 4. The requested modification in the Parties' Stipulation to Advance Preliminary
7 Approval Hearing will not materially impact the case in a negative manner. As stated above, the
8 modification is necessary to ensure the timely and efficient distribution of notice and the
9 eventual complete resolution of this case.

10 5. I declare under penalty of perjury that the foregoing is true and correct.

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12 Respectfully Submitted,

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14 DATED: July 18, 2011.

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16 By /s/ Christopher L. Dore
17 Christopher L. Dore
18 EDELSON McGUIRE, LLC
19 Attorneys for Plaintiff
20 Christopher Kramer
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