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11 Attorneys for Defendant  
 12 GROUPON, INC.

13 UNITED STATES DISTRICT COURT  
 14 NORTHERN DISTRICT OF CALIFORNIA  
 15 SAN FRANCISCO DIVISION

17 WILLIAM EIDENMULLER, on Behalf  
 of Himself and All Other Similarly  
 18 Situated and the General Public,

19 Plaintiff,

20 v.

21 GROUPON, INC., a Delaware  
 Corporation,

22 Defendants.  
 23  
 24  
 25

CASE NO. 4:11-cv-00984 (SBA)

**STIPULATION AND ORDER FOR  
 CONTINUANCE OF CASE  
 MANAGEMENT CONFERENCE AND  
 RELATED DATES**

Case Management Conference:

Date: June 22, 2011  
 Time: 2:30 p.m. via telephone  
 Courtroom: 1  
 Judge: Hon. Sandra Brown Armstrong

1 Plaintiff William Eidenmuller (“Plaintiff”) and Defendant Groupon, Inc. (“Groupon”) by  
2 and through their respective attorneys of record, stipulate as follows:

3 1. The initial Case Management Conference in this action is set for June 22, 2011 at  
4 2:30 p.m. via telephone.

5 2. Pursuant to the Order Setting Initial Case Management Conference, the deadline to  
6 file the Rule 26(f) Report, complete initial disclosures or state objections to initial disclosures in  
7 the Rule 26(f) Report, and file the Case Management Conference Statement is June 8, 2011, and  
8 the deadline for the parties to meet and confer pursuant to Rule 26(f), file the ADR Certification,  
9 and file either a stipulation to ADR Process or Notice of Need for ADR Phone Conference is  
10 May 25, 2011.

11 3. On May 16, 2011, the Judicial Panel on Multidistrict Litigation (“JPML”) will  
12 hear a motion to consolidate this case, along with other cases pending against Groupon  
13 and certain "retailer" defendants in various district courts and involving similar allegations  
14 (“MDL Motion”).

15 4. The parties have previously stipulated and agreed to extend Groupon’s time to  
16 respond to the complaint until (i) 45 days after the filing of a Consolidated Amended Complaint  
17 or whatever other deadline is set by the transferee court, in the event the JPML grants the MDL  
18 Motion, or (ii) 45 days after service of the JPML’s decision on the MDL Motion to consolidate or  
19 whatever deadline is set by this Court, in the event the JPML denies the MDL Motion to  
20 consolidate

21 5. In light of the above, the parties hereby stipulate and request that the Court stay all  
22 currently pending dates and deadlines in this matter, including the Case Management Conference  
23 currently scheduled for June 22, 2011 at 2:30 p.m., pending the JPML’s decision on the MDL  
24 Motion. The parties further request that in the event the JPML denies the MDL Motion, the

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1 Court reset the Case Management Conference for a date no sooner than 45 days after service of  
2 the JPML's decision on the MDL Motion.

3 **IT IS SO STIPULATED.**

4  
5 Dated: April 28, 2011

DLA PIPER LLP (US)

7 By s/ Christopher M. Young

8 SHIRLI F. WEISS  
9 PAUL J. HALL  
10 CHRISTOPHER M. YOUNG  
11 NOAH A. KATSELL  
12 Attorneys for Defendant  
13 GROUPON, INC.

14  
15 Dated: April 28, 2011

BONNETT, FAIRBOURN, FRIEDMAN &  
BALINT, P.C.

17 By s/ Andrew S. Friedman

18 ANDREW S. FRIEDMAN  
19 ELAINE A. RYAN  
20 PATRICIA N. SYVERSON  
21 TODD D. CARPENTER  
22 Attorneys for Plaintiff  
23 WILLIAM EIDENMULLER

24  
25 I, Christopher M. Young, attest that concurrence in the filing of this document has been  
26 obtained from each of the signatories. I declare under penalty of perjury under the laws of the  
27 United States of America that the foregoing is true and correct. Executed on this 28th day of  
28 April, 2011 at San Diego, California.

By: s/ Christopher M. Young


CHRISTOPHER M. YOUNG  
Attorney for Defendant Groupon, Inc.

1 **ORDER**

2 PURSUANT TO STIPULATION AND GOOD CAUSE APPEARING, IT IS HEREBY  
3 ORDERED that all dates and deadlines in this matter are stayed pending the decision of the  
4 Judicial Panel on Multidistrict Litigation (“JPML”) on the MDL Motion to consolidate. ~~The Case~~  
5 ~~Management Conference currently scheduled for June 22, 2011 at 2:30 p.m. is taken off calendar,~~  
6 ~~and shall be rescheduled for a date no sooner than 45 days after service of the JPML’s decision on~~  
7 ~~the MDL Motion, in the event the JPML denies the MDL Motion.~~ The telephonic Case  
8 Management Conference currently scheduled for June 22, 2011 is CONTINUED to **September 7,**  
9 **2011 at 3:30 p.m.** Prior to the date scheduled for the conference, the parties shall meet and  
10 confer and prepare a joint Case Management Conference Statement. The joint statement shall be  
11 filed no later than ten (10) days prior to the conference and shall comply with the Standing Order  
12 for All Judges of the Northern District of California and the Standing Order of this Court.  
13 Plaintiff shall be responsible for filing the statement as well as for arranging the conference call.  
14 All parties shall be on the line and shall call (510) 637-3559 at the above indicated date and time.

15 IT IS SO ORDERED.

16  
17 Dated: April 29, 2011

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19 \_\_\_\_\_  
20 The Hon. Sandra Brown Armstrong  
21 U.S. District Court Judge