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		Case5:08-cv-03369-JW Document66	Filed09/21/09 Page1 of 4			
	1	ROBERT C. SCHUBERT S.B.N. 62684				
	2	WILLEM F. JONCKHEER S.B.N. 178748 KIMBERLY A. KRALOWEC S.B.N. 163158				
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	6					
	7	UNITED STATES	S DISTRICT COURT			
LP	8	UNITED STATES DISTRICT COURT				
& KRALOWEC LLP attice 1650 111	9	NORTHERN DISTRICT OF CALIFORNIA				
	10	SAN JOSE DIVISION				
	11		~			
NCKHEER KOLBE & KRA Three Embarcadero Center, Suite 1650 San Francisco, CA 94111 (415) 788-4220	12	IN RE GOOGLE ADWORDS LITIGATION	Case No. 08-3369 JW			
OLBE & Center, Suit 5, CA 94111 88-4220	13					
ER KOLBE rcadero Center, rancisco, CA 9 (415) 788-4220	14		STIPULATION AND [PROPOSED]			
JONCKHEER KC Three Embarcadero C San Francisco, (415) 788	15		ORDER CONSOLIDATING OLABODE V.			
NCK Three E			<b><u>GOOGLE, INC.</u></b> , NO. 09-3414 JW INTO <u>IN</u> <b>RE GOOGLE ADWORDS LITIGATION</b> ,			
JC	16	This Document Relates to:	NO. 08-3369 JW			
BER	17	All Actions				
Schubert	18					
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Dockets.Justia.com

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WHEREAS, by order dated February 25, 2009 the Court consolidated four related class 2 actions under the foregoing caption, and appointed the law firm of Schubert Jonckheer Kolbe & 3 Kralowec LLP as interim lead counsel (Docket #40);

WHEREAS, by order dated February 25, 2009, the Court bifurcated discovery into class and merits discovery, and issued a scheduling order for Class Discovery, including the plaintiffs' motion for class certification (Docket #41);

WHEREAS, on April 24, 2009, plaintiffs filed the Consolidated Class Action Complaint in this matter (Docket #45);

WHEREAS, on May 18, 2009, defendant Google, Inc. ("Google") filed the answer to the Consolidated Class Action Complaint;

WHEREAS, on July 27, 2009, the action Olabode v. Google Inc., No. 09-3414 JW was filed in this Court, which action is based on the same alleged facts and circumstances concerning Google's AdWords program at issue in the consolidated action;

WHEREAS, on August 21, 2009, the Court issued an order relating Olabode to the consolidated action;

16 WHEREAS, on September 17, 2009, following a case management conference, the Court issued a further scheduling order (1) setting a Class Discovery cutoff of May 24, 2010 and a 17 18 hearing date for plaintiffs' motion for class certification on September 20, 2010; and (2) directing 19 the parties to stipulate to consolidation of the Olabode action (Docket #65);

20 WHEREAS, the parties agree that, pursuant to Federal Rule of Civil Procedure Rule 21, plaintiff Olabode should be added to the consolidated action as party plaintiff, such that service of 21 22 the <u>Olabode</u> complaint is unnecessary;

THEREFORE, the parties hereby stipulate, and request the Court to order, as follows:

The action Olabode v. Google, Inc., No. 09-3414 JW is hereby consolidated into In 24 1. 25 re Google AdWords Litigation, No. 08-3369 JW.

26 2. Pursuant to Federal Rule of Civil Procedure Rule 21, plaintiff Olabode is added to the consolidated action as a party plaintiff. 27

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		Case5:08-cv-03369-JW Documen	t66 Filed09/21/09 Page3 of 4							
	1	3. All orders regarding (a) the ap	pointment of plaintiffs' interim lead counsel (Docket							
	2	#40) and (b) scheduling matters in the consolidated action (Docket #65) shall remain unchanged.								
	34.The Consolidated Class Action Complaint filed April 24, 2009 (Docket									
	4	remain, and be deemed, the operative complaint.								
	5 5. In light of the foregoing, the <u>Olabode</u> complaint need not be served, a									
	6	shall not be required to answer or otherwise respond to the <u>Olabode</u> complaint.								
(415) 788-4220	7									
	8 9 10 11	Dated: September 21, 2009	SCHUBERT JONCKHEER KOLBE & KRALOWEC LLP ROBERT C. SCHUBERT S.B.N. 62684 WILLEM F. JONCKHEER S.B.N. 178748 KIMBERLY A. KRALOWEC S.B.N. 163158							
	11 12 13		By: /s/Willem F. Jonckheer Willem F. Jonckheer							
	13		Attorneys for Consolidated Plaintiffs							
	15 16	Dated: September 21, 2009	COOLEY GODWARD KRONISH LLP							
	17		By: /s/Leo P. Norton Leo P. Norton							
	18 19		Attorneys for Defendant GOOGLE, INC.							
	20 21	Dated: September 21, 2009	THE TERRELL LAW GROUP AMAMGBO & ASSOCIATES							
	22 23		By: /s/Reginald Von Terrell Reginald Von Terrell							
	24		Attorneys for Plaintiff Bolaji Olabode							
	25									
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			3.							

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		Case5:08-cv-03369-JW Document66 Filed09/21/09 Page4 of 4				
	1					
	2	ATTESTATION OF FILER				
	3	I, Willem F. Jonckheer, hereby attest that concurrence in the filing of the document has				
	4	been obtained from each of the other signatories.				
	5					
	6	Datad: Sontombor 21, 2000 SCHUDEDT IONCHIEED KOLDE &				
LP	7	Dated: September 21, 2009 SCHUBERT JONCKHEER KOLBE & KRALOWEC LLP				
	8	By: /s/Willem F. Jonckheer				
SCHUBERT JONCKHEER KOLBE & KRALOWEC LLP Three Embarcadero Center, Suite 1650 San Francisco, CA 94111 (415) 788-4220	9	Willem F. Jonckheer				
MOT	10	Attorneys for Plaintiffs				
2 & KRA Suite 1650 4111	11					
BE & ter, Suit v 94111 20	12					
NCKHEER KOLBF Three Embarcadero Center, San Francisco, CA 9 (415) 788-4220	13	ORDER				
CHEER K Embarcadero San Francisc (415) 7	14	1. The action <u>Olabode v. Google, Inc.</u> , No. 09-3414 JW is hereby consolidated into <u>In</u>				
ICKH ree Em San	15	re Google AdWords Litigation, No. 08-3369 JW.				
r Jon Th	16	2. Pursuant to Federal Rule of Civil Procedure Rule 21, plaintiff Olabode is added to				
BERJ	17	the consolidated action as a party plaintiff.				
SCHU	18	3. All orders regarding (a) the appointment of plaintiffs' interim lead counsel (Docket				
01	19	#40) and (b) scheduling matters in the consolidated action (Docket #65) shall remain unchanged.				
	20	4. The Consolidated Class Action Complaint filed April 24, 2009 (Docket #45) shall				
	21	remain, and be deemed, the operative complaint.				
	22	5. In light of the foregoing, the <u>Olabode</u> complaint need not be served, and Google				
	23	shall not be required to answer or otherwise respond to the <u>Olabode</u> complaint.				
	24 25					
	25 26					
	26					
	27 28	Hon. James Ware				
	28					
		4.				