

UNITED STATES DISTRICT COURT
DISTRICT OF COLUMBIA

CARLOS VAZQUEZ,)	
)	
Plaintiff,)	
)	
v.)	Case No. 1:11-cv-00495 (EGS)
)	
GROUPON, INC., YMCA of the USA, and DOES 1 through 100,)	
)	
Defendants.)	

**CONSENT MOTION FOR EXTENSION OF
TIME TO RESPOND TO PLAINTIFF'S COMPLAINT**

Defendants Groupon, Inc. (“Groupon”) and YMCA of the USA (“YMCA”)¹ (collectively, the “Defendants”), by their attorneys and with the consent of the Plaintiff’s counsel, respectfully move this Court for an approximately 30 day extension of time for Defendants to answer, move against or otherwise respond to Plaintiff’s Complaint. In support of this motion, the Defendants state as follows:

1. Groupon and YMCA were served with the Complaint on March 16 and 17, 2011, respectively.
2. Pursuant to Rule 12 of Federal Rules of Civil Procedure, the time for Groupon and YMCA to respectively answer, move against or otherwise respond to the Complaint is April 6 and 7, 2011.
3. The Complaint is one of nine putative class action complaints recently filed against Groupon, and in some cases certain merchants with which it partners, in seven United

¹ YMCA was apparently sued incorrectly as it is a national organization which had no contractual relationship with Groupon. Based on the allegations of the complaint, it appears that the Plaintiff has confused YMCA of the USA with a local YMCA organization with which YMCA of the USA has no direct corporate relationship.

States District Courts arising out of substantially similar allegations relating to Groupon's sale of vouchers.

4. On or about March 18, 2011, the plaintiffs in two such other putative class actions² filed a motion with the Judicial Panel on Multidistrict Litigation under 28 U.S.C. § 1407, requesting that this case and the other eight putative class actions pending against Groupon, as well as all subsequently filed related cases, be coordinated and transferred to one district court for all pretrial proceedings (the "MDL Motion"). Notice of the MDL Motion was also filed in the above-captioned case on March 18, 2011.

5. In light of these developments, on March 22, 2011, counsel for Defendants and counsel for the Plaintiff in this case conferred and agreed to a 30 day extension of time until May 6, 2011 for Defendants to move against, answer or otherwise respond to Plaintiff's Complaint.

6. Defendants submit that the agreed to extension is warranted in light of the aforementioned facts and in order to allow Defendants' counsel adequate time to consider and address the MDL Motion and the putative class actions to which it relates in an orderly and efficient manner.

Accordingly, the Defendants respectfully request that the Court grant their Consent Motion for Extension of Time to Respond to Plaintiff's Complaint and that the Defendants' time to move against, answer or otherwise respond to the Plaintiff's Complaint be extended until May 6, 2011. A copy of a Proposed Order is submitted herewith.

² *Ferreira v. Groupon, Inc.*, No. 11-cv-0132-DMS(POR) (S.D. Cal. filed Jan. 21, 2011) and *Gosling v. Groupon, Inc.*, No. 11-cv-01038-CRB (N.D. Cal. filed Mar. 4, 2011).

DATED this 29th day of March, 2011.

Defendants GROUPON, INC. and YMCA of
the USA

By: /s/ Sara Z. Moghadam
Sara Z. Moghadam, No. 463862
DLA Piper LLP (US)
500 8th Street, N.W.
Washington, D.C. 20004
Telephone: (202) 799-4000
Facsimile: (202) 799-5000
sara.moghadam@dlapiper.com

Shirli F. Weiss*
Christopher M. Young*
DLA Piper LLP (US)
401 B Street, Suite 1700
San Diego, CA 92101
Telephone: (619) 699-2700
Facsimile: (619) 699-2701
shirli.weiss@dlapiper.com
christopher.young@dlapiper.com

*pro hac vice applications to be filed

CERTIFICATE OF SERVICE

I hereby certify that on the 29th day of March, 2011, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system that sent such filing to the following:

Charles J. LaDuca [charlesl@cuneolaw.com]
CUNEO GILBERT & LADUCA, LLP
507 C Street, NE
Washington, DC 20002
Counsel for Plaintiff

and served copies by first class mail, postage prepaid, to the following:

Rachel L. Jensen
ROBBINS GELLER RUDMAN &
DOWD LLP
655 West Broadway, Suite 1900
San Diego, CA 92101
*Counsel for Anthony Ferreira and
Sarah Gosling*

Charles E. Schaffer
LEVIN FISHBEIN SEDRAN &
BERMAN
Suite 500
510 Walnut Street
Philadelphia, PA 19106
Counsel for Plaintiff

Michael A. McShane
AUDET & PARTNERS, LLP
221 Main Street, Suite 1460
San Francisco, CA 94105
Counsel for Plaintiff

Christopher M. Ellis
BOLEN ROBINSON & ELLIS
2nd Floor
202 South Franklin
Decatur, IL 62523
Counsel for Plaintiff

Clayton D. Halunen
Shawn J. Wanta
HALUNEN & ASSOCIATES
1650 IDS Center
80 South Eighth Street
Minneapolis, MN 55402
Counsel for Plaintiff

/s/ Sara Z. Moghadam

Sara Z. Moghadam