IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

MIKE HARRIS and JEFF DUNSTAN, individually and on behalf of a class of similarly situated individuals,

Plaintiffs,

Case No. 1:11-5807

Mag. Young B. Kim

V.

COMSCORE, INC., a Delaware corporation,

Defendant.

STIPULATION TO ALLOW DEFENDANT COMSCORE, INC. TO WITHDRAW ITS MOTION TO COMPEL WITHOUT PREJUDICE

Plaintiff Mike Harris and Jeff Dunstan ("Plaintiffs") and Defendant comScore, Inc. ("comScore") (collectively, the "Parties"), by and through their undersigned counsel, hereby stipulate and agree to allow Defendant to withdraw its pending Motion to Compel (Dkt. No. 103) without prejudice. In support of the instant stipulation, the Parties state as follows:

WHEREAS, on May 4, 2012, Defendant filed a Motion to Compel, which sought the production of Plaintiffs' computers. (Dkt. No. 103);

WHEREAS, since the filing of that motion, the Parties have reached an agreement on certain issues raised by the Motion to Compel and are endeavoring to come to agreement on the remaining issues;

WHEREAS, in order to conserve the resources of the Parties and the Court, Plaintiffs have agreed to allow comScore to withdraw its pending Motion to Compel without prejudice and further agree that, if comScore ultimately decides to re-file its Motion to Compel the production of Plaintiffs' computers, Plaintiffs will not raise an objection based upon timeliness.

NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between

1

the Parties as follows:

1. Defendant comScore, Inc.'s pending Motion to Compel is withdrawn without

prejudice.

2. In the event comScore re-files its Motion to Compel the production of Plaintiffs'

computers, Plaintiffs agree to not raise an objection based on timeliness.

Respectfully submitted,

Dated: May 18, 2012

MIKE HARRIS AND JEFF DUNSTAN,

By: <u>/s/ Ari J. Scharg</u> One of Plaintiffs' Attorneys

Jay Edelson Rafey S. Balabanian Ari J. Scharg Chandler R. Givens EDELSON MCGUIRE LLC 350 North LaSalle, Suite 1300 Chicago, Illinois 60654 Tel: (312) 589-6370 jedelson@edelson.com rbalabanian@edelson.com ascharg@edelson.com cgivens@edelson.com

Dated: May 18, 2012

COMSCORE, INC.

By: <u>/s/ Stephen Swedlow</u> One of Defendant's Attorneys

Stephen Swedlow Andrew H. Schapiro Amanda Williamson Robyn Bowland Quinn Emanuel Urquhart & Sullivan, LLP 500 West Madison St., Suite 2450 Chicago, Illinois 60661 andrewschapiro@quinnemanuel.com stephenswedlow@quinnemanuel.com amandawilliamson@quinnemanuel.com

Paul F. Stack Mark William Wallin Stack & O'Connor Chartered 140 South Dearborn Street Suite 411 Chicago, IL 60603 Telephone: (312) 782-0690 Facsimile: (312) 782-0936 pstack@stacklaw.com mwallin@stacklaw.com