

comScore's third party bundling partners.

Subclass: All Class members not presented with a functional hyperlink to an end user license agreement before installing comScore's software onto their computers.

4. As discussed in Plaintiffs' contemporaneously-filed Memorandum in Support of their Supplemental Motion for Class Certification, the Class and Subclass are sufficiently numerous, face common legal and factual issues, feature claims that are typical of the named Plaintiffs, and are adequately represented by both the Plaintiffs and their counsel. Further, the common questions of law and fact predominate over any questions affecting only individual Class or Subclass members and the class action mechanism is superior to other available methods for fairly and efficiently adjudicating this controversy. Accordingly, the Class and Subclass are readily certifiable under Rule 23(b)(3).

5. Plaintiffs hereby incorporate their contemporaneously-filed Memorandum in Support of their Supplemental Motion for Class Certification, along with all arguments made and authorities cited therein.

WHEREFORE, Plaintiffs Jeff Dunstan and Mike Harris respectfully request that the Court enter an Order (a) granting their Supplemental Motion for Class Certification, (b) certifying the Class and Subclass pursuant to Federal Rule of Civil Procedure 23(b)(3), (c) appointing Plaintiffs Dunstan and Harris as representatives of the Class and Plaintiff Harris as representative of the Subclass, (d) appointing Plaintiffs' counsel, Jay Edelson and Rafey S. Balabanian, as Class Counsel, and (e) awarding such additional and further relief as this Court deems necessary and appropriate.

Dated: January 15, 2013

Respectfully submitted,

MIKE HARRIS AND JEFF DUNSTAN,
INDIVIDUALLY AND ON BEHALF OF A CLASS OF
SIMILARLY SITUATED INDIVIDUALS,

By: /s/ Rafey S. Balabanian

One of their attorneys

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CERTIFICATE OF SERVICE

I, Rafey S. Balabanian, an attorney, certify that on January 15, 2013, I served the above and foregoing *Plaintiffs' Supplemental Motion for Class Certification*, by causing true and accurate copies of such paper to be filed and transmitted to all counsel of record via the Court's CM/ECF electronic filing system, and further by causing true and accurate copies of such paper to be transmitted to all counsel of record via electronic mail, all on this the 15th day of January, 2013.

/s/ Rafey S. Balabanian _____