

EXHIBIT 2

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

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

Plaintiffs,

vs.

comSCORE, INC., a Delaware corp.,
Defendant.

No. 11 C 5807

Chicago, Illinois
October 25, 2012
9:12 o'clock a.m.

TRANSCRIPT OF PROCEEDINGS
BEFORE THE HONORABLE JAMES F. HOLDERMAN

APPEARANCES:

For the Plaintiffs:

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1 (Proceedings in open court:)

2 THE CLERK: 11 C 5807, Dunstan versus comScore.

3 MR. BALABANIAN: Good morning, Your Honor.

4 Rafey Balabanian and Ben Thomassen on behalf of the
5 plaintiffs.

6 THE COURT: Good morning.

7 MR. STACK: Good morning, Your Honor.

8 Paul Stack and Andy Schapiro for the defendant.

9 THE COURT: Good morning. What's the status today?

10 MR. BALABANIAN: Your Honor, the Court a couple weeks
11 ago told us to come back and advise as to whether the plaintiff
12 could proceed -- the plaintiffs could proceed concurrently with
13 class claims and individual claims, because we had expressed
14 that our client was not going to proceed on behalf of the
15 subclass on the ICFA claim.

16 We had also informed the Court that we were unsure of
17 whether our client was going to proceed with the claim
18 individually.

19 We have spoken to our client. He's not going to
20 proceed with the claim either way.

21 But we did have a chance to speak with defense
22 counsel over the last couple days, and we've decided, in the
23 wake of our hearing with Magistrate Judge Kim last week, that
24 we are going to amend the complaint, should the Court allow it.
25 The defendants are going to stipulate to the amendment so we

1 can just get past this issue at this point in time.

2 THE COURT: All right. When can you accomplish that?

3 MR. BALABANIAN: Today.

4 THE COURT: All right.

5 MR. STACK: Okay. The only issue, Your Honor, is our
6 expert report is due the end of October, and we needed the
7 amended complaint to do that.

8 What I would ask the Court to do, if the Court could
9 put our expert off for another 30 days, that would give us a
10 chance to get all the documents together, including the amended
11 complaint, and get them to our expert.

12 MR. BALABANIAN: No objection from plaintiffs.

13 THE COURT: Okay. Will it have an impact on the rest
14 of the schedule if we put the defendant's expert report off 30
15 days?

16 MR. STACK: I don't think so, Your Honor, but I --
17 why don't -- we're willing to talk to counsel on that and see
18 if that's -- if there is a problem with that. But I don't
19 think at this point it will.

20 THE COURT: All right. The expert report was due
21 from defense counsel by October 31. You want until --

22 MR. STACK: November 30th, please.

23 THE COURT: -- November 30th? All right. Let's set
24 the case for a further status in early December.

25 MR. BALABANIAN: I think the discovery cutoff is the

1 same date, November 30.

2 THE COURT: That's what I asked.

3 MR. BALABANIAN: So the only thing would -- if
4 defense --

5 THE COURT: Would it affect any of the other dates,
6 and --

7 MR. BALABANIAN: Not if defense agrees to produce
8 their expert for deposition.

9 MR. STACK: Which, of course, we would.

10 MR. SCHAPIRO: We will.

11 MR. BALABANIAN: Right.

12 THE COURT: You are making me nervous now. The
13 reason you are making me nervous is we are now just kind of
14 being loose in connection with the completion of discovery.

15 So if we move the completion of discovery to the end
16 of the year, will that --

17 MR. STACK: That should do it.

18 THE COURT: -- accommodate you?

19 MR. BALABANIAN: Certainly.

20 MR. STACK: That should do it.

21 THE COURT: Now, will we then have to change the
22 other dates that we previously had set?

23 MR. BALABANIAN: I think class certification is due
24 at the end of December, Your Honor. I think it's December 31.
25 So that would kick that out by 30 days, I suppose.

1 THE COURT: Okay.

2 MR. SCHAPIRO: And, Your Honor --

3 THE COURT: So what you are orally asking me to do is
4 basically amend the scheduling order for the 30-day --

5 MR. STACK: That --

6 THE COURT: -- date.

7 MR. STACK: That's sort of what it looks like, Your
8 Honor.

9 THE COURT: Yes. Okay. All right. Here's our
10 problem. We have allowed some extensions over time and we have
11 moved dates, and so I think what we need to do is just enter a
12 new scheduling order.

13 I will ask you folks to submit a new scheduling order
14 through the *proposed_order* e-mail system that's agreeable with
15 you. And then I will take a look at it, and if it's
16 appropriate, we will go ahead and get it entered. If not, I
17 will set the case -- well, I am going to set the case for a
18 further status on December 6th, anyway, because I want to see
19 where we are at that point.

20 But I can't just leave things loose. We have got to
21 know exactly when we are doing things.

22 MR. STACK: Okay.

23 THE COURT: So you are filing the amended complaint
24 today by agreement. When does the defense desire to answer?

25 MR. STACK: I think we can answer in 21 days.

1 THE COURT: All right. Twenty-one days from today
2 would take us to the 15th of November, and I will see you in
3 December.

4 MR. BALABANIAN: Thank you, Your Honor.

5 MR. STACK: Thank you, Your Honor.

6 THE COURT: Thanks a lot.

7 MR. STACK: Okay.

8 THE COURT: I will look forward to receiving that
9 order, proposed order through the *proposed_order* e-mail system.

10 MR. STACK: Thank you, Your Honor.

11 THE COURT: We will get everything in one place that
12 we can look to.

13 MR. BALABANIAN: Thank you, Your Honor.

14 MR. STACK: Thank you, Your Honor.

15 THE COURT: Thank you.

16 (Proceedings concluded.)
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C E R T I F I C A T E

I, Colleen M. Conway, do hereby certify that the foregoing is a complete, true, and accurate transcript of the proceedings had in the above-entitled case before the HONORABLE JAMES F. HOLDERMAN, Chief Judge of said Court, at Chicago, Illinois, on October 25, 2012.

/s/ Colleen M. Conway, CSR, RMR, CRR

11/02/12

Official Court Reporter
United States District Court
Northern District of Illinois
Eastern Division

Date