

**ORIGINAL**

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
(EASTERN DIVISION)**

Heather Kimel, class  
representative on behalf of herself  
and others similarly situated,

Plaintiff,

v.

Groupon, Inc. and Nordstrom, Inc.,

Defendants.

Civil Action No.: 11-cv-488

**STIPULATION TO EXTEND TIME**

*Judge Lioi*

2011 APR -4 PM 3:13  
CLERK OF COURT  
NORTHERN DISTRICT OF OHIO  
AKRON

The undersigned parties through their respective attorneys hereby stipulate and agree as follows:

1. On or about March 9, 2011, Plaintiff filed a Complaint in this Court against Groupon, Inc. and Nordstrom, Inc.
2. On or about March 14, 2011 and March 17, 2011, respectively, Nordstrom, Inc. and Groupon, Inc. were served with the Complaint.
3. The time for Defendants to answer or otherwise respond to the Complaint is Monday, April 4, 2011 and Thursday, April 7, 2011, respectively, pursuant to Fed. R. Civ. P. 12.
4. On or about March 11, 2011, plaintiffs in two other actions against Groupon<sup>1</sup> filed with the Judicial Panel on Multidistrict Litigation ("JPML") a motion to

<sup>1</sup> *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).

transfer this case, along with eight other cases to the Northern District of California.

Other parties, including Defendant's, intend to file responsive papers before the JPML.

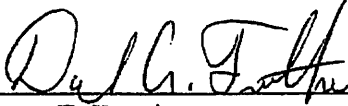
5. In light of these developments, the parties have agreed to extend the time for all Defendants to answer or otherwise respond to the Complaint until Friday, April 29, 2011.

6. The parties would like to formally acknowledge their agreement and hereby stipulate and agree that all Defendants shall have an extension of time until April 29, 2011 to answer or otherwise respond to the Complaint.

**IT IS SO STIPULATED.**

Stipulated to:

Date: April 1, 2011

By:   
Dana E. Deering  
David A. Futscher  
Parry, Deering, Futscher & Sparks  
411 Garrard Street  
Covington, KY 41011  
Telephone: (859) 291-9000  
Facsimile: (859) 291-9300  
[ddeering@pdfslaw.com](mailto:ddeering@pdfslaw.com)  
[dfutscher@pdfslaw.com](mailto:dfutscher@pdfslaw.com)

Attorneys for Plaintiff Heather Kimel

Date: April 1, 2011

By: \_\_\_\_\_



Peter M. Ellis, Ohio Bar No. 0070264  
DLA PIPER LLP (US)  
203 North LaSalle Street, Suite 1900  
Chicago, IL 60601  
Telephone: (312) 368-2197  
Facsimile: (312) 251-5813  
[peter.ellis@dlapiper.com](mailto:peter.ellis@dlapiper.com)

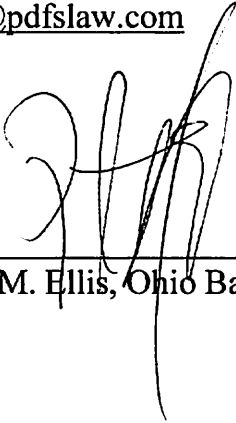
Shirli F. Weiss (*pro hac vice* to be filed)  
Christopher M. Young (*pro hac vice* to be filed)  
DLA PIPER LLP (US)  
401 B Street, Suite 1700  
San Diego, CA 92101  
Telephone: (619) 699-2700  
Facsimile: (619) 699-2701  
[shirli.weiss@dlapiper.com](mailto:shirli.weiss@dlapiper.com)  
[christopher.young@dlapiper.com](mailto:christopher.young@dlapiper.com)

Attorneys for Defendants Groupon, Inc. and  
Nordstrom, Inc.

**CERTIFICATE OF SERVICE**

On this 1st day of April, 2011, a copy of the foregoing Stipulation to Extend Time was served upon the Plaintiff by e-mail, and depositing one copy of same in the U.S. Postal Service, first class postage prepaid, and addressed to their attorneys:

Dana E. Deering  
David A. Futscher  
Parry, Deering, Futscher & Sparks  
411 Garrard Street  
Covington, KY 41011  
Telephone: (859) 291-9000  
Facsimile: (859) 291-9300  
ddeering@pdfslaw.com  
dfutscher@pdfslaw.com

By:   
Peter M. Ellis, Ohio Bar No. 0070264