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11 Attorneys for Plaintiff Airbnb, Inc.

12 UNITED STATES DISTRICT COURT
 13 NORTHERN DISTRICT OF CALIFORNIA
 14 SAN FRANCISCO DIVISION
 15

16 AIRBNB, INC.,
 17 Plaintiff,
 18 HOMEAWAY.COM, INC.,
 19 Plaintiff-Intervenor,
 20 vs.
 21 CITY AND COUNTY OF SAN
 22 FRANCISCO,
 23 Defendant.

Case No. 16-cv-03615-JD

**STIPULATION AND [PROPOSED]
 ORDER REGARDING FURTHER
 SETTLEMENT CONFERENCE AND
 STAY OF ENFORCEMENT**

Judge: Hon. James Donato
 Courtroom: 11
 Action Filed: June 27, 2016

STIPULATION

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2 WHEREAS, on November 18, 2016, this Court entered an order enjoining enforcement of
3 Section 41A.5 of the San Francisco Administrative Code (the “Ordinance”) through and including
4 December 1, 2016;

5 WHEREAS, on November 29, 2016, the parties participated in a settlement conference
6 with Magistrate Judge Corley;

7 WHEREAS, on November 29, 2016, the parties filed a stipulation and proposed order with
8 the Court informing the Court that they intended to continue discussing settlement, both privately
9 and with Magistrate Judge Corley, and that they agreed that the City and County of San Francisco
10 (the “City”) would not enforce Section 41A.5 of the Ordinance against hosting platforms through
11 and including January 27, 2017;

12 WHEREAS, on November 29, 2016, the Court entered an order providing that the City
13 would not enforce Section 41A.5 of the Ordinance against hosting platforms through and
14 including January 27, 2017, and scheduled a Case Management Conference for January 26, 2017
15 at 10:00 a.m.;

16 WHEREAS, the parties have continued discussing settlement since November 29, 2016,
17 both privately and with Magistrate Judge Corley, and intend to continue doing so, including at a
18 settlement conference on February 28, 2017, and agree that the City will not enforce Section
19 41A.5 of the Ordinance against hosting platforms through and including March 3, 2017; and

20 WHEREAS, the parties request that the Court vacate the Case Management Conference
21 scheduled for January 26, 2017, and hold a Case Management Conference on March 2, 2017.

22 THE PARTIES, BY AND THROUGH THEIR UNDERSIGNED COUNSEL, HEREBY
23 STIPULATE AS FOLLOWS:

24 The City will not enforce Section 41A.5 of the Ordinance against hosting platforms,
25 including retroactively, through and including March 3, 2017. The Case Management Conference
26 scheduled for January 26, 2017 at 10:00 a.m. is vacated, and the parties will attend a Case
27 Management Conference on March 2, 2017 at a time to be determined by the Court.

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DATED: January 25, 2017

MUNGER, TOLLES & OLSON LLP
JOHN W. SPIEGEL
JONATHAN H. BLAVIN
ELLEN M. RICHMOND
JOSHUA PATASHNIK

By: /s/ Jonathan H. Blavin
JONATHAN H. BLAVIN
Attorneys for Plaintiff Airbnb, Inc.

DATED: January 25, 2017

DAVIS WRIGHT TREMAINE LLP
JAMES C. GRANT
AMBIKA K. DORAN

By: /s/ Ambika K. Doran
AMBIKA K. DORAN
Attorneys for Plaintiff-Intervenor HomeAway.com, Inc.

DATED: January 25, 2017

DENNIS J. HERRERA
City Attorney
WAYNE SNODGRASS
JAMES M. EMERY
SARA EISENBERG
ROBB W. K.APLA
Deputy City Attorneys

By: /s/ Sara Eisenberg
SARA EISENBERG
Attorneys for Defendant City and County of San Francisco

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FILER'S ATTESTATION

I, Jonathan H. Blavin, am the ECF user whose identification and password are being used to file this STIPULATION AND [PROPOSED] ORDER REGARDING FURTHER SETTLEMENT CONFERENCE AND STAY OF ENFORCEMENT. Pursuant to Civil Local Rule 5-1(i)(3), I hereby attest that the other above-named signatories concur in this filing.

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[PROPOSED] ORDER

The City and County of San Francisco will not enforce Section 41A.5 of the Ordinance against hosting platforms, including retroactively, through and including March 3, 2017. The Case Management Conference scheduled for January 26, 2017 at 10:00 a.m. is vacated. The parties will attend a Case Management Conference on March 2, 2017 at a time to be determined by the Court.

PURSUANT TO STIPULATION, IT IS SO ORDERED,

Dated: _____

Judge James Donato
United States District Court Judge