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

16 AIRBNB, INC.,
 17 Plaintiff,
 18 vs.
 19 CITY AND COUNTY OF SAN
 20 FRANCISCO,
 21 Defendant.

Case No. 16-cv-03615-JD

**DECLARATION OF JONATHAN H.
 BLAVIN IN SUPPORT OF JOINT
 ADMINISTRATIVE MOTION
 REGARDING SCHEDULE FOR
 PRELIMINARY INJUNCTION HEARING
 AND PAGE LIMITS**

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

1 I, Jonathan H. Blavin, declare as follows:

2 1. I am an attorney licensed in the State of California and admitted to practice before
3 this Court. I am counsel for Plaintiff Airbnb, Inc. (“Airbnb”) in the above-captioned matter. I
4 have personal knowledge of the facts set forth below and could testify competently to those facts if
5 called to do so.

6 2. On June 27, 2016, Airbnb filed a Complaint and a Motion for a Preliminary
7 Injunction seeking to enjoin newly-amended Sections 41A.5(e), 41A.5(g)(4)(C), and 41A.7(b)(1)–
8 (3) of the San Francisco Administrative Code (the “Ordinance”), enacted by the City and County
9 of San Francisco (“the City”) on Friday June 24, 2016 and effective on July 24, 2016. On June 27,
10 I transmitted digital versions of Airbnb’s papers to the City Attorney’s office by email. In that
11 email, I asked whether the City would stipulate to a shortened briefing schedule and advanced
12 hearing date for the Motion. Both the Complaint and the Motion were then formally served on
13 June 28, 2016.

14 3. Airbnb’s Motion argues that the Ordinance violates Airbnb’s rights under the
15 Communications Decency Act, 47 U.S.C. § 230 (the “CDA”), the Stored Communications Act, 18
16 U.S.C. §§ 2701 *et seq.* (the “SCA”), and the First Amendment. On that basis, Airbnb seeks to
17 enjoin enforcement of the Ordinance.

18 4. The Motion for a Preliminary Injunction is currently scheduled to be heard on
19 August 1, 2016, but as mentioned, the Ordinance that Airbnb seeks to enjoin will go into effect on
20 July 24, 2016. As such, if the hearing is not advanced, the Ordinance would become effective
21 before Airbnb’s Motion for a Preliminary Injunction can be heard.

22 5. After assignment to this Court on June 28, 2016, I emailed the City Attorney’s
23 Office and asked whether the City would stipulate to the parties exceeding the page limitations set
24 forth in paragraph 18 of the Court’s Standing Order, and having those limits be set in accordance
25 with Local Rules 7-2 and 7-3.

26 6. On June 28, 2016, I spoke with Tara Steeley and Robb Kappla from the City
27 Attorney’s office for the City and County of San Francisco by phone. The parties’ discussed
28

1 Airbnb's requests regarding an expedited briefing schedule and advanced hearing date for the
2 Motion for a Preliminary Injunction, and page limits.

3 7. The City agreed to submit a stipulated request for an expedited briefing schedule
4 and advanced hearing, as follows:

5 City's Opposition	July 11, 2016
6 Airbnb's Reply	July 15, 2016
7 Hearing	July 20 or 22, 2016

8 8. There have been no previous time modifications in this case.

9 9. Given the early stage of this litigation, the requested time modification would not
10 affect the schedule for this case, other than for the hearing on the Motion for a Preliminary
11 Injunction.

12 10. With respect to page limits, the City indicated that it did not think such an increase
13 was necessary and declined to stipulate regarding increased page limits.

14
15 I declare under penalty of perjury under the laws of the United States that the foregoing is
16 true and correct.

17 Executed on June 29, 2016, in San Francisco, California.

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19 /s/ Jonathan H. Blavin
Jonathan H. Blavin

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