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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.  
 22

Case No. 16-cv-03615-JD

**STIPULATION AND [PROPOSED]  
 ORDER REGARDING SCHEDULE FOR  
 PRELIMINARY INJUNCTION HEARING**

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

1 Pursuant to Local Rule 6-2, Plaintiff Airbnb, Inc. (“Airbnb”) and Defendant City and  
2 County of San Francisco (“City”) hereby stipulate to a request that the Court enter an order  
3 modifying the briefing schedule and hearing date for Plaintiff’s Motion for a Preliminary  
4 Injunction. Good cause exists for the modification, no prior schedule modifications have been  
5 granted in this case, and the modification will not affect the schedule for the case going forward.

6 **RECITALS**

7 1. Airbnb filed its Complaint and Motion for a Preliminary Injunction in this action on  
8 June 27, 2016. Dkt. Nos. 1, 3.

9 2. The Complaint challenges newly-amended Sections 41A.5(e), 41A.5(g)(4)(C), and  
10 41A.7(b)(1)–(3) of the San Francisco Administrative Code (“the Ordinance”).

11 3. The Ordinance was enacted by the City on June 24, 2016 and goes into effect on  
12 July 24, 2016.

13 4. Airbnb argues that the Ordinance violates its rights under the Communications  
14 Decency Act, 47 U.S.C. § 230 (the “CDA”), the Stored Communications Act, 18 U.S.C. §§ 2701  
15 et seq. (the “SCA”), and the First Amendment. The City disagrees that the Ordinance violates  
16 those laws.

17 5. The hearing date on Airbnb’s Motion for a Preliminary Injunction is currently  
18 noticed for August 1, 2016, in accordance with Civil Local Rule 7-2(a)

19 6. On June 28, 2016, the parties conferred by telephone and agreed to request an order  
20 modifying the briefing schedule and advancing the hearing date on Plaintiff’s Motion for a  
21 Preliminary Injunction.

22 7. Good cause exists for the modification of the hearing schedule. The Ordinance that  
23 Airbnb challenges in its Motion is set to go into effect on July 24, before the August 1 hearing  
24 date. As such, advancing the hearing date is necessary because otherwise, the Ordinance would go  
25 into effect before Airbnb’s rights under the CDA, the SCA, and the First Amendment can be  
26 considered.



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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 Schedule for Preliminary Injunction Hearing. 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**

Pursuant to the foregoing stipulation to modify the briefing schedule and advance the hearing date for Plaintiff’s Motion for a Preliminary Injunction, the following deadlines and hearing date shall now apply for the Motion:

Defendant’s Opposition	July 11, 2016
Plaintiff’s Reply	July 15, 2016
Hearing	July 20 / July 22, 2016

PURSUANT TO STIPULATION, IT IS SO ORDERED,

Dated: \_\_\_\_\_

\_\_\_\_\_  
 Judge James Donato  
 United States District Court Judge