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OCT 26 2020

MARIN COUNTY
SUPERIOR COURT

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**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF MARIN**

PAYWARD, INC., d/b/a Kraken, a California
corporation,

Plaintiff,

v.

DOES 1 through 10, inclusive,

Defendants.

) Case No.: CIV 1902105
) **STIPULATION AND [PROPOSED]**
) **ORDER TO WITHDRAW, IN PART,**
) **SUBPOENA ISSUED TO NON-PARTY**
) **GLASSDOOR, INC.**
)
)
) Action Filed: May 30, 2019
)

1 **STIPULATION**

2 Plaintiff Payward, Inc., d/b/a Kraken (“Payward”) and Movant J. Doe (“Doe”), by and
3 through their respective counsel of record, hereby enter the stipulation below with reference to the
4 following facts:

5 1. WHEREAS on November 22, 2019, the Court entered an Order granting in part and
6 denying in part Payward’s Motion to Compel Glassdoor to produce documents in response to
7 Payward’s June 21, 2019 subpoena seeking responsive information regarding certain Glassdoor
8 users who posted reviews about Payward;

9 2. WHEREAS the Court’s Order required Glassdoor to notify affected users whose
10 identifying information it would have to turn over to Payward and provided that Glassdoor must
11 provide said information to Payward within sixty (60) days of giving notice;

12 3. WHEREAS on December 16, 2019, Glassdoor provided notice to affected users,
13 requiring Glassdoor to turn over identifying information of its affected users by February 14, 2020;

14 4. WHEREAS on February 10, 2020, affected user J. Doe (“Doe”) filed a Motion to
15 Quash (“Motion”) the subpoena;

16 5. WHEREAS on February 11, 2020, this Court entered an Order staying Glassdoor’s
17 production with respect to any identifying information regarding Doe, and only Doe, during the
18 Court’s resolution of Doe’s Motion;

19 6. WHEREAS Payward and Doe have entered into a Settlement Agreement to amicably
20 resolve their dispute; and

21 7. WHEREAS Payward and Doe consent to Payward withdrawing, in part, its June 21,
22 2019 subpoena to the extent that it concerns J. Doe or would otherwise disclose any information
23 identifying J. Doe.

24
25 THEREFORE Payward and Doe, by and through their undersigned counsel, hereby stipulate
26 and request that the Court order that:

27 The June 21, 2019 subpoena be withdrawn, in part, to the extent that it concerns J. Doe or
28 would otherwise disclose any information identifying J. Doe.

1 IT IS SO STIPULATED

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3 Dated: October 23, 2020

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7 Dated: October 23, 2020

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13 **IT IS SO ORDERED.**

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15 Dated: _____, 2020

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Aaron Mackey
Attorney for Movant J. Doe



Kimberly Almazan
Attorney for Plaintiff Payward

Hon. James T. Chou
Judge of the Superior Court

1 PROOF OF SERVICE

2 I am a resident of the State of California, over the age of eighteen, and not a party to the
3 within action. My business address is: Electronic Frontier Foundation, 815 Eddy Street, San
4 Francisco, CA 94109. I served the within document(s):

5 **STIPULATION AND [PROPOSED] ORDER
6 TO STAY PRODUCTION BY NON-PARTY GLASSDOOR, INC.**

7 **Via E-Mail:** by transmitting via electronic mail the document(s) listed above to the
8 person(s) at the email address(es) set forth below on October 26, 2020, by agreement of
9 counsel

10 **Via Facsimile:** by transmitting via facsimile the document(s) listed above to the fax
11 number (s) set forth below on this date before 5:00 p.m.

12 **Via Hand:** by personally delivering the document(s) listed above to the person(s) at the
13 addresses set forth below.

14 **Via U.S. Mail:** by placing a true copy thereof enclosed in a sealed envelope, at a station
15 designated for collection and processing of envelopes and packages for delivery by U.S.
16 Postal Service, as part of the ordinary business practice of Burgoyne Law Group
17 described below, addressed as follows:

18 William J. Frimel
19 Seubert French Frimel & Warner LLP
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21 Menlo Park, CA 94025
22 bill@ssfwlaw.com

Attorneys for Non-Party Glassdoor

23 Kimberly Almazan
24 Wither Bergman LLP
25 505 Sansome Street, 2nd Floor
26 San Francisco, CA 94111
27 Kimberly.almazan@withersworldwide.com

Attorney for Plaintiff Payward, Inc., d/b/a Kraken

28 I declare under penalty of perjury under the laws of the State of California that the above is
true and correct. Executed October 26, 2020 at Alameda, California.

By: 
Aaron Mackey