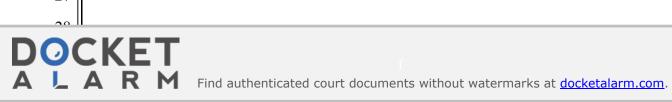
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8	CITY AND COUNTY OF SAN FRANCISCO	Facsimile: 213.229.7520
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11		
12	UNITED STATES DISTRICT COURT	
13	NORTHERN DISTRICT OF CALIFORNIA	
14		
15	DOORDASH, INC. and GRUBHUB INC.,	Case No. 3:21-cv-05502 EMC
16	Plaintiffs,	STIPULATION AND [PROPOSED] ORDER STAYING CASE, VACATING CASE
17	VS.	MANAGEMENT DATES, AND PROVIDING FOR EVENTUAL
18	CITY AND COUNTY OF SAN FRANCISCO,	DISMISSAL
19	Defendant.	
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Pursuant to Civil Local Rules 6-2 and 7-12, Plaintiffs DoorDash, Inc. and Grubhub Inc., and Defendant City and County of San Francisco (collectively, "the Parties"), hereby stipulate as follows:

WHEREAS, on June 28, 2022, San Francisco Supervisor Aaron Peskin introduced the Ordinance attached hereto as Exhibit A ("the Ordinance"), which would amend certain provisions of Article 53 of the San Francisco Police Code at issue in this action;

WHEREAS, Plaintiffs have decided that they are willing to dismiss the above-captioned action if the Ordinance is enacted; and

WHEREAS, the Parties anticipate that enactment of the Ordinance may take several months in the ordinary legislative process;

NOW, THEREFORE, in the interest of judicial economy and good cause showing, the undersigned parties, by and through their counsel of record, hereby agree and stipulate, and the Court hereby orders, as follows:

- 1. This action is hereby stayed;
- 2. All existing case management dates are vacated;
- 3. If the Ordinance is enacted, Plaintiffs shall dismiss this action, without prejudice to their right to reinstate the above-captioned action (including, without limitation, the claims alleged and remedies sought therein), as a result of any amendment to the Ordinance or future legislation, within seven days of its effective date, each party to bear its own fees and costs;
- 4. If the Ordinance is not enacted, the Parties may stipulate to, or any party may file an administrative motion requesting, a lifting of the stay and the establishment of new case management dates.

The Parties respectfully request that the Court enter an Order approving this Stipulation.

IT IS SO STIPULATED.



1	Dated: July 1, 2022 DAVID CHIU	
2	City Attorney WAYNE SNODGRASS	
3	JEREMY M. GOLDMAN Deputy City Attorneys	
4		
5	By: <u>Jeremy M. Goldman</u> JEREMY M. GOLDMAN	
6	Attorneys for Defendant CITY AND COUNTY OF SAN FRANCISCO	
7	Dated: July 1, 2022 GIBSON, DUNN & CRUTCHER LLP	
8	By: <u>Joshua S. Lipshutz</u>	
9	Joshua S. Lipshutz Michael Holecek	
10	Attorneys for Plaintiffs DOORDASH, INC. and GRUBHUB INC.	
11	DOORDASH, INC. and OROBHOD INC.	
12	A TOTAL CITY A TOTAL CITY A VICE	
13	Pursuant to Civil Local Rule 5-1(i)(3), I hereby certify that I obtained in the filing of this document the concurrence from all parties whose electronic signatures appear above.	
14		
15		
16	Dated: July 1, 2022	
17	/s/ Jeremy M. Goldman JEREMY M. GOLDMAN	
	JEREMY M. GOLDMAN	
18		
19		
20	PURSUANT TO STIPULATION, IT IS SO ORDERED.	
21		
22	DATED:	
23	Hon. Edward M. Chen United States District Judge	
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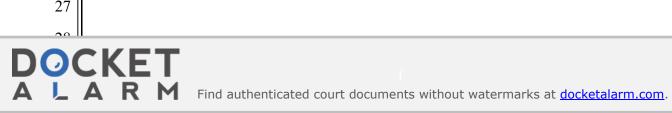


EXHIBIT A

[Police Code - Third-Party Food Delivery Services]

Ordinance amending the Police Code to define core delivery service to mean a service that both lists a covered establishment on all of a third-party food delivery service's platforms, including websites and mobile applications, and facilitates and/or performs delivery of food and/or beverages from the establishment; to exempt from the 15% cap on per-order fees, starting January 31, 2023, third-party food delivery services that offer restaurants the option to obtain only core delivery service at a cost of no more than 15% of the purchase price of an online order without requiring the purchase of additional services, and that notify all covered establishments with which the third-party food delivery services have an existing contract of this option no later than December 1, 2022; and to require that contracts between a third-party food delivery service and a covered establishment clearly define the fees, commissions, or charges associated with contracted services.

NOTE: Unchanged Code text and uncodified text are in plain Arial font.
Additions to Codes are in single-underline italics Times New Roman font.
Deletions to Codes are in strikethrough italics Times New Roman font.
Board amendment additions are in double-underlined Arial font.
Board amendment deletions are in strikethrough Arial font.
Asterisks (* * * *) indicate the omission of unchanged Code subsections or parts of tables.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The Police Code is hereby amended by revising Sections 5301 (adding a defined term to be placed in alphabetical sequence with other defined terms) and 5302, to read as follows:



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