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HONORABLE JOHN CHUN

SUPERIOR COURT OF THE STATE OF WASHINGTON
FOR KING COUNTY

MOVE, INC., a Delaware corporation,
REALSELECT, INC., a Delaware
corporation TOP PRODUCERS
SYSTEMS COMPANY, a British
Columbia unlimited liability company,
NATIONAL ASSOCIATION OF
REALTORS®, an Illinois non-profit
corporation, and REALTORS®
INFORMATION NETWORK, INC., an
Illinois corporation,

Plaintiffs,

v.

ZILLOW, INC., a Washington corporation,
ERROL SAMUELSON, an individual,
CURT BEARDSLEY, an individual, and
DOES 1-20.

Defendants.

No. 14-2-07669-0 SEA

STIPULATION AND [PROPOSED]
ORDER REGARDING CONTEMPT
PROCEEDINGS

[CLERK'S ACTION REQUIRED]

I. STIPULATION

WHEREAS, Move, Inc., Real Select, Inc., Top Producers Systems Company, the
National Association of Realtors, and Realtors Information Network ("the plaintiffs") have
alleged in these civil proceedings, among other things, violations of fiduciary duty and the

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2 misappropriation of trade secrets by defendants Errol Samuelson, Curt Beardsley, and
3 Zillow, Inc. (“the defendants”);
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5 WHEREAS, the defendants dispute the plaintiffs’ claims in this matter and assert
6 that their conduct has been entirely lawful;
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9 WHEREAS, following an application from the plaintiffs, the King County Superior
10 Court entered Findings of Fact, Conclusions of Law and Preliminary Injunction [Dkt. No.
11 201] on June 30, 2014, (“the Preliminary Injunction”) which pursuant to an Order of the
12 Court [Dkt. No. 360] expired on March 22, 2015;
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16 WHEREAS, the plaintiffs filed a Motion for Order to Show Cause Re Contempt
17 [Dkt. No. 348] on January 26, 2015 alleging violations of the Preliminary Injunction by
18 Zillow, Inc. and Errol Samuelson (“the Contempt Motion”);
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22 WHEREAS, Zillow, Inc. and Errol Samuelson opposed the Contempt Motion and
23 argued that their conduct was consistent with the restrictions in the Preliminary Injunction
24 [Dkt. No. 356] and make this stipulation without any admission of liability;
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28 WHEREAS, the Superior Court issued an Order to Show Cause regarding Contempt
29 and set a schedule for discovery, briefing, and a hearing on its Order to Show Cause re
30 Contempt;
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34 WHEREAS, as suggested by the Court, the parties sought the assistance of a
35 mediator and reached an agreement which, subject to the Court’s approval, would settle and
36 resolve all claims that the defendants have violated the Preliminary Injunction and all issues
37 related to contempt; and
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41 WHEREAS, the parties make this stipulation subject to and conditioned upon
42 approval of the Superior Court.
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In light of the foregoing, the plaintiffs and defendants hereby stipulate as follows:

1. The plaintiffs withdraw their request that the Superior Court find Zillow, Inc. and Errol Samuelson in contempt of the Court for violations of the Preliminary Injunction.

2. The plaintiffs shall not file with the Court any further motions or briefs supporting any request for contempt based on a claimed violation of the Preliminary Injunction. The plaintiffs may not assert any other claim or seek damages or other relief for contempt or violation of the Preliminary Injunction.

3. The parties' agreement shall not in any way affect any of their other underlying claims, defenses, or damages in this case in any manner whatsoever except to end the pending contempt proceedings and bar any request for damages or other relief for contempt or violation of the Preliminary Injunction.

4. The plaintiffs and defendants respectfully request that the Court enter the attached proposed order ending the contempt proceedings.

IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

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BAUER LLP**

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Attorneys for Defendant Zillow, Inc.

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II. ORDER

The Order to Show Cause re Contempt is hereby vacated. The plaintiffs shall not file any further requests that the Court find any defendant in contempt of court based on claimed violations of the Preliminary Injunction or otherwise assert any claim or seek any damages or other relief for contempt or violation of the Preliminary Injunction. The contempt proceedings and the parties' agreement to end those proceedings shall not in any way affect any of the Parties' other underlying claims, defenses, or damages in this case except to end the pending contempt proceeding and bar any other claim or request for damages or other remedies for any alleged violation of the Preliminary Injunction.

ENTERED this 27th day of March 2015.



THE HONORABLE JOHN CHUN,
JUDGE OF THE SUPERIOR COURT

Presented by:

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CERTIFICATE OF SERVICE

On March 27, 2015, I caused to be served upon counsel of record, at the address stated below, via the method of service indicated, a true and correct copy of the forgoing document.

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STIPULATION AND [PROPOSED] ORDER
RE CONTEMPT PROCEEDINGS – 7

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I certify under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

DATED this 27 day of March 2015.

/s/ Janet Petersen
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