EXHIBIT B

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No. 1:19-cv-22529-ALTONAGA/GOODMAN

MARICELA MATA, *et al.*,

Plaintiffs,

v.

EXPEDIA, INC., *et al.*,

Defendants.

AGREED JOINT MOTION OF ALL PARTIES FOR THE ADJOURNMENT OF THE JURISDICTIONAL DISCOVERY DEADLINES

Pursuant to Federal Rule of Civil Procedure 6(b) and Local Rule 7.1, the parties jointly move for an adjournment of the jurisdictional discovery deadlines set forth in this Court's January 2, 2020 Order [ECF 85] for a period of sixty (60) days due to unforeseen circumstances caused by the COVID-19 virus. In support of this motion, the parties state as follows:

1. On December 9, 2019, plaintiffs filed the Second Amended Class Action Complaint [ECF 63] (the "***Complaint***") in the above-captioned case.

2. On December 23, 2019, the Booking Defendants and the Expedia Inc. defendants filed the Joint Motion to Dismiss the Second Amended Class Action Complaint, and Incorporated Memorandum of Law [ECF 78] (the "***Motion to Dismiss***"). The Motion to Dismiss challenged, *inter alia*, this Court's jurisdiction over the defendants and whether plaintiffs pled sufficient facts in the complaint to state a prima facie case for specific personal jurisdiction under Federal Rule of Civil Procedure 12(b)(2). *See* Order [ECF 80] at 1.

3. On December 23, 2019, the Court entered an Order [ECF 80] denying the Motion to Dismiss without prejudice in order "[t]o better manage the orderly progress of the case," and permitting plaintiffs to conduct jurisdictional discovery. The Order [ECF 80] required plaintiffs to advise the Court of their intention to take jurisdictional discovery and the time requested to complete such discovery. The Order [ECF 80] also stayed merits discovery in this case.

4. On December 30, 2019, plaintiffs advised the Court of their intention to take jurisdictional discovery in the Notice of Intention to Take Jurisdictional Discovery [ECF 81].

5. On January 2, 2020, the Court entered an Order [ECF 85] (the "***Jurisdictional Discovery Scheduling Order***") establishing a schedule pursuant to which jurisdictional discovery would proceed in this case. In short, the Jurisdictional Discovery Scheduling Order established an accelerated schedule by which the parties would complete jurisdictional discovery, including written discovery and 30(b)(6) depositions. The Jurisdictional Discovery Scheduling Order set March 20, 2020 as the deadline "to complete jurisdictional discovery, including Rule 30(b)(6) depositions on topics relating to personal jurisdiction." *Id*. at ¶ 7. The Jurisdictional Discovery Scheduling Order also set March 27, 2020 as the deadline for plaintiffs "to file their final amended complaint or file notice that they intend to proceed with the" Complaint. *Id*. at ¶ 8. Further, the Jurisdictional Discovery Scheduling Order set April 10, 2020 as the deadline for defendants "to file a renewed motion to dismiss for lack of personal jurisdiction." *Id*. at 9. Together, the deadlines of March 20, 27 and April 10 are hereinafter referred to as the "***Jurisdictional Discovery Deadlines***."

6. The Jurisdictional Discovery Scheduling Order also set aside the previously entered Scheduling Order [ECF 71], noting that "[a] revised scheduling order will be entered after April 10, 2020." Jurisdictional Discovery Scheduling Order, ¶ 10.

7. To date, the parties have fully complied with the Jurisdictional Discovery Scheduling Order. Indeed, all that remains to complete jurisdictional discovery in this case are the 30(b)(6) jurisdictional depositions of the defendants Booking Holdings Inc. and Booking.com B.V. (together, the "***Booking Defendants***"). These depositions are scheduled to take place next week, on March 17, 2020 for Booking.com B.V. in Seattle, Washington, and on March 20, 2020 for Booking Holdings Inc. in New York City, New York.

8. As the Court is aware, the COVID-19 virus (commonly referred to simply as the "novel coronavirus") has begun to cause significant concern among all levels of local, state, and federal government and among the business and legal communities not only in Florida, but across the country and around the world. Indeed, Florida, New York and Washington have each declared a state of emergency in response to the rising health concerns.

9. As a result of government and private sector efforts to contain the COVID-19 virus, counsel for the Booking Defendants have been restricted in their ability to meet with and prepare their respective designated 30(b)(6) representatives. Such restrictions include the inability to meet at the 30(b)(6) designated representatives' offices in Seattle and New York. Even more, as of March 12, 2020, counsel for the Booking Defendants were advised that they could not meet in person with the designated representative of Booking Holdings Inc., at all, due to restrictions in place at Booking Holdings Inc. barring in-person meetings.

10. Further, as of 2:00 p.m. today, March 13, 2020, the offices of counsel for the Booking Defendants are closed until at least March 31, 2020.

11. Counsel for the Booking Defendants and counsel for the plaintiffs have been in communication regarding the fluid situation related to COVID-19. In fact, the parties had agreed to hold the 30(b)(6) depositions of the Booking Defendants *via* video conference so that plaintiffs'

counsel would not have to travel to Seattle and New York. However, counsel for the Booking Defendants would still be required to travel to Seattle and New York for each deposition.

12. Due to the increasing uncertainty regarding travel restrictions and the inability of counsel for the Booking Defendants to meet with and prepare the 30(b)(6) representatives, the parties hereby request an adjournment of the Jurisdictional Discovery Deadlines for a period of sixty (60) days to give the parties, local, state and federal authorities time to normalize this unforeseen situation.

13. The necessity for the requested relief is not caused by dilatory conduct.

14. No party will be prejudiced by the relief requested in this motion. Indeed, the Expedia defendants have recently waived their personal jurisdiction challenges (*see* [ECF 107]) and there are no other pending deadlines in the case.

WHEREFORE, for good cause having been shown, the parties respectfully request this Court enter the Proposed Order, attached hereto as **Exhibit A**, adjourning the Jurisdictional Discovery Deadlines for a period of sixty (60) days.

Dated March 13, 2020

Respectfully submitted,

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CERTIFICATE PURSUANT TO S.D. FLA. L.R. 7.1(a)(3)

I HEREBY CERTIFY that prior to filing this motion, on March 13, 2020, counsel for the Booking Defendants, Michael A. Duffy, Esq. and L Andrew S. Riccio, Esq., contacted counsel for Plaintiffs, Paula Aguila, Esq., and counsel for the Expedia defendants, David Shank, Esq., via telephone and email and attaching a copy of this motion and the Proposed Order in a good faith effort to resolve the issues raised herein. By reply email on March 13, 2020, Counsel for Plaintiffs and counsel for the Expedia defendants indicated that they agree to the relief sought in this motion.

By: /s/ L Andrew S. Riccio
L Andrew S. Riccio

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on March 13, 2020, a true and correct copy of the foregoing document was served on all counsel of record by transmission of Notices of Electronic Filing generated by CM/ECF.

By: /s/ L Andrew S. Riccio
L Andrew S. Riccio

EXHIBIT A

PROPOSED ORDER

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No.: 19-22529-CIV-ALTONAGA/GOODMAN

MARICELA MATA, *et al.*,

Plaintiffs,

v.

EXPEDIA, INC., *et al.*,

Defendants.
_____/

[PROPOSED] ORDER GRANTING AGREED JOINT MOTION OF ALL PARTIES FOR THE ADJOURNMENT OF THE JURISDICTIONAL DISCOVERY DEADLINES

This matter comes before the Court upon the Agreed Joint Motion of All Parties for an Adjournment of the Jurisdictional Discovery Deadlines (the "***Motion***") as set forth in the Court's Order [ECF 85] for a period of sixty (60) days, as a result of the restrictions and complications in place due to COVID-19.

Having reviewed the Motion, and otherwise being fully advised, it is hereby **ORDERED AND ADJUDGED** that the Motion [DE __] is **GRANTED**. The Jurisdictional Discovery Deadline originally set for March 20, 2020 will be adjourned for a period of sixty (60) days. The other deadlines in the Court's Order [ECF 85] will similarly be extended, as follows:

1. Plaintiffs have until seven (7) days after the close of jurisdictional discovery to file their final amended complaint or file notice that they intend to proceed with the Second Amended Class Action Complaint [ECF No. 63] (the "***Complaint***").

2. The Booking Entities have until fourteen (14) days after plaintiffs file an amended complaint or file a notice the they intend to proceed with the Complaint to file a renewed motion to dismiss for lack of personal jurisdiction.

DONE AND ORDERED in Chambers in Miami, Florida, this ___ day of March 2020.

_____
CECILIA M. ALTONAGA
UNITED STATES DISTRICT JUDGE

Copies furnished to
all Counsel of Record