

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:16-cv-00933-CRC**

SELDEN v. AIRBNB, INC.
Assigned to: Judge Christopher R. Cooper
Case in other court: USCA, 16-07139
Cause: 28:1331 Federal Question: Other Civil Rights

Date Filed: 05/17/2016
Jury Demand: Plaintiff
Nature of Suit: 443 Civil Rights:
Accommodations
Jurisdiction: Federal Question

Plaintiff**GREGORY SELDEN**

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V.

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Date Filed	#	Docket Text
05/17/2016	<u>1</u>	COMPLAINT <i>CLASS ACTION COMPLAINT</i> against Airbnb Inc. with Jury Demand (Filing fee \$ 400 receipt number 0090-4532568) filed by Gregory Selden.

		(Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Civil Summons)(Emejuru, Ikechukwu) (Attachment 1 replaced on 5/18/2016) (jd). (Entered: 05/17/2016)
05/17/2016	<u>2</u>	NOTICE of Appearance by Andrew Nyombi on behalf of Gregory Selden (Nyombi, Andrew) (Entered: 05/17/2016)
05/17/2016		Case Assigned to Judge Christopher R. Cooper. (sth) (Entered: 05/18/2016)
05/18/2016	<u>3</u>	NOTICE OF CORRECTED/AMENDED COMPLAINT by GREGORY SELDEN (Emejuru, Ikechukwu) (Entered: 05/18/2016)
05/18/2016	<u>4</u>	SUMMONS (1) Issued Electronically as to AIRBNB, INC.. (Attachments: # <u>1</u> Summons)(sth) (Entered: 05/18/2016)
05/20/2016	<u>5</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. AIRBNB, INC. served on 5/19/2016, answer due 6/9/2016 (Emejuru, Ikechukwu) (Entered: 05/20/2016)
05/20/2016	<u>6</u>	AMENDED COMPLAINT against GREGORY SELDEN with Jury Demand filed by GREGORY SELDEN.(Emejuru, Ikechukwu) (Entered: 05/20/2016)
05/25/2016	<u>7</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. GREGORY SELDEN served on 5/23/2016, answer due 6/13/2016 (Emejuru, Ikechukwu) (Entered: 05/25/2016)
06/08/2016	<u>8</u>	MOTION for Extension of Time to <i>Answer or Otherwise Respond</i> by AIRBNB, INC. (Attachments: # <u>1</u> Text of Proposed Order)(Kennedy, Ellen) (Entered: 06/08/2016)
06/08/2016		MINUTE ORDER granting <u>8</u> Defendant's Motion for Extension of Time: It is hereby ORDERED that Defendant shall answer or otherwise respond to <u>6</u> Plaintiff's Amended Complaint in this action on or before July 13, 2016. Signed by Judge Christopher R. Cooper on 6/8/2016. (lccrc3) (Entered: 06/08/2016)
06/09/2016		Set/Reset Deadlines: Defendant shall answer or otherwise respond to <u>6</u> Plaintiff's Amended Complaint in this action on or before 7/13/2016. (kt) (Entered: 06/09/2016)
06/23/2016	<u>9</u>	MOTION for Extension of Time to <i>Certify Class</i> by GREGORY SELDEN (Attachments: # <u>1</u> Text of Proposed Order Proposed Order)(Emejuru, Ikechukwu) (Entered: 06/23/2016)
06/24/2016	<u>10</u>	MOTION to Amend/Correct <i>COMPLAINT</i> by GREGORY SELDEN (Attachments: # <u>1</u> Exhibit Second Amended Complaint, # <u>2</u> Exhibit SAC – Exhibit 1, # <u>3</u> Exhibit Proposed Order)(Emejuru, Ikechukwu) (Entered: 06/24/2016)
06/27/2016		MINUTE ORDER granting Plaintiff's <u>9</u> Unopposed Motion for Extension of Time; granting <u>10</u> Plaintiff's Unopposed Motion to Amend/Correct: It is hereby ORDERED that the deadline for Plaintiff to file his motion for class certification be STAYED until the Court rules on any forthcoming Rule 12 motions. The Court will set a briefing schedule for Plaintiff's motion for class certification, if necessary, at an Initial Scheduling Conference, following its resolution of any Rule 12 motions. It is further ORDERED that Plaintiff be granted leave to file a Second Amended Complaint and that Plaintiff's Second Amended Complaint be deemed filed as of June 27, 2016. Signed by Judge Christopher R. Cooper on 6/27/2016. (lccrc3) (Entered: 06/27/2016)
06/27/2016	<u>11</u>	Second AMENDED COMPLAINT against AIRBNB, INC. with Jury Demand filed by GREGORY SELDEN.(td) (Entered: 06/28/2016)
07/01/2016	<u>12</u>	NOTICE of Appearance by Sean Marotta on behalf of AIRBNB, INC. (Marotta, Sean) (Entered: 07/01/2016)
07/13/2016	<u>13</u>	MOTION to Compel <i>Arbitration and Dismiss</i> by AIRBNB, INC. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Declaration, # <u>3</u> Exhibit A to Declaration, # <u>4</u> Exhibit B to Declaration, # <u>5</u> Exhibit C to Declaration, # <u>6</u> Exhibit D to Declaration, # <u>7</u> Exhibit E to Declaration, # <u>8</u> Text of Proposed Order)(Kennedy, Ellen). Added MOTION to Dismiss, MOTION to Stay on 7/28/2016 (td). (Entered: 07/13/2016)
07/27/2016	<u>14</u>	RESPONSE re <u>13</u> MOTION to Compel <i>Arbitration and Dismiss</i> filed by GREGORY SELDEN. (Attachments: # <u>1</u> Appendix Table of Contents/Authorities, # <u>2</u> Declaration Declaration, # <u>3</u> Text of Proposed Order Proposed Order)(Emejuru, Ikechukwu)

		(Entered: 07/27/2016)
07/29/2016	<u>15</u>	Consent MOTION for Extension of Time to File Response/Reply <i>in Support of Motion to Compel Arbitration</i> by AIRBNB, INC. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order)(Marotta, Sean) (Entered: 07/29/2016)
08/01/2016		MINUTE ORDER granting <u>15</u> Defendant's Motion for Extension of Time to File Response/Reply. It is hereby ORDERED that Defendant file its reply in support of its <u>13</u> Motion to Compel Arbitration and Dismiss by August 15, 2016. Signed by Judge Christopher R. Cooper on 8/1/2016. (lccrc2) (Entered: 08/01/2016)
08/02/2016		Set/Reset Deadlines: ORDERED that Defendant file its reply in support of its <u>13</u> Motion to Compel Arbitration and Dismiss by August 15, 2016. Signed by Judge Christopher R. Cooper on 8/1/2016. (lsj) (Entered: 08/02/2016)
08/09/2016	<u>16</u>	LCvR 7.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by AIRBNB, INC. (Kennedy, Ellen) (Entered: 08/09/2016)
08/15/2016	<u>17</u>	REPLY to opposition to motion re <u>13</u> MOTION to Compel <i>Arbitration and Dismiss</i> MOTION to Dismiss MOTION to Stay filed by AIRBNB, INC.. (Kennedy, Ellen) (Entered: 08/15/2016)
09/29/2016		Minute Order: The parties are hereby ORDERED to appear before the Court to present oral arguments re Defendant's Motion <u>13</u> to Compel Arbitration and Dismiss on 10/12/2016 at 2:00 PM in Courtroom 27A before Judge Christopher R. Cooper. Signed by Judge Christopher R. Cooper on 9/29/16. (lsj) (Entered: 09/29/2016)
10/06/2016		MINUTE ORDER: Defendant is hereby ORDERED to file a supplemental declaration on or before October 11, 2016 explaining whether the "wireframe images" attached as Exhibit A to the Declaration of Kyle Miller are accurate representations of the Airbnb sign-up screen, in both size and content, as it would have appeared on a mobile device on the relevant dates. If the images are not accurate representations of how the screens would have appeared on a mobile device, Defendant is hereby ORDERED, if possible, to include and attest to the accuracy of such mobile-device images in its supplemental declaration. Signed by Judge Christopher R. Cooper on 10/6/2016. (lccrc3) (Entered: 10/06/2016)
10/07/2016		Set/Reset Deadlines: Supplemental Memorandum due by 10/11/2016. (zlsj) (Entered: 10/07/2016)
10/11/2016	<u>18</u>	AFFIDAVIT <i>Supplemental Declaration of Kyle Miller</i> by AIRBNB, INC.. (Attachments: # <u>1</u> Exhibit Exhibit 1, # <u>2</u> Exhibit Exhibit 2, # <u>3</u> Exhibit Exhibit 3, # <u>4</u> Exhibit Exhibit 4, # <u>5</u> Exhibit Exhibit 5, # <u>6</u> Exhibit Exhibit 6)(Kennedy, Ellen) (Entered: 10/11/2016)
10/12/2016		Minute Order: Motions Hearing held before Judge Christopher R. Cooper on 10/12/2016. Oral arguments submitted. Defendant AIRBNB, Inc.'s Motion <u>13</u> to Compel Arbitration and Dismiss or, in the Alternative, to Stay Pending Arbitration is taken under advisement. Court Reporter Elizabeth Saint-Loth. (lsj) (Entered: 10/12/2016)
11/01/2016	<u>19</u>	MEMORANDUM OPINION re <u>13</u> Defendant's Motion to Compel Arbitration and Dismiss, or, in the Alternative, to Stay Pending Arbitration. Signed by Judge Christopher R. Cooper on 11/1/2016. (lccrc3) (Entered: 11/01/2016)
11/01/2016	<u>20</u>	ORDER granting <u>13</u> Defendant's Motion to Compel Arbitration and Dismiss, or, in the alternative, to Stay Pending Arbitration. All proceedings are hereby STAYED pending arbitration. Signed by Judge Christopher R. Cooper on 11/1/2016. (lccrc3) (Entered: 11/01/2016)
11/01/2016		MINUTE ORDER: The parties are further ORDERED to file a joint status report at the conclusion of arbitration proceedings or by May 1, 2017 if the proceedings have not concluded by that date. Signed by Judge Christopher R. Cooper on 11/1/2016. (lccrc3) (Entered: 11/01/2016)
11/01/2016		Case Stayed (zlsj) (Entered: 11/01/2016)

11/01/2016		Set/Reset Deadlines: Status Report due by 5/1/2017. (zlsj) (Entered: 11/01/2016)
11/04/2016	<u>21</u>	NOTICE OF APPEAL TO DC CIRCUIT COURT as to <u>20</u> Order on Motion to Compel, Order on Motion to Dismiss, Order on Motion to Stay, <u>19</u> Memorandum & Opinion by GREGORY SELDEN. Filing fee \$ 505, receipt number 0090-4733462. Fee Status: Fee Paid. Parties have been notified. (Nyombi, Andrew) (Entered: 11/04/2016)
11/07/2016	<u>22</u>	Transmission of the Notice of Appeal, Order Appealed, and Docket Sheet to US Court of Appeals. The Court of Appeals fee was paid this date re <u>21</u> Notice of Appeal to DC Circuit Court,. (znmw) (Entered: 11/07/2016)
11/07/2016	<u>23</u>	MOTION for Certification for interlocutory appeal by GREGORY SELDEN (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Text of Proposed Order)(Emejuru, Ikechukwu). Added MOTION to Dismiss on 11/8/2016 (znmw). (Entered: 11/07/2016)
11/09/2016		USCA Case Number 16-7139 for <u>21</u> Notice of Appeal to DC Circuit Court, filed by GREGORY SELDEN. (zrdj) (Entered: 11/10/2016)
11/17/2016	<u>24</u>	Unopposed MOTION for Extension of Time to File Response/Reply as to <u>23</u> MOTION for Certification for interlocutory appeal MOTION to Dismiss by AIRBNB, INC. (Attachments: # <u>1</u> Text of Proposed Order)(Kennedy, Ellen) (Entered: 11/17/2016)
11/18/2016		MINUTE ORDER granting <u>24</u> Motion for Extension of Time to File Response/Reply. Defendant's response is due on or before December 2, 2016. Signed by Judge Christopher R. Cooper on 11/18/2016. (lccrc3) (Entered: 11/18/2016)
11/21/2016		Set/Reset Deadlines: Defendant's Responses due by 12/2/2016 (zlsj) (Entered: 11/21/2016)
12/01/2016	<u>25</u>	RESPONSE re <u>23</u> MOTION for Certification for interlocutory appeal MOTION to Dismiss filed by AIRBNB, INC.. (Kennedy, Ellen) (Entered: 12/01/2016)
12/07/2016	<u>26</u>	Consent MOTION for Extension of Time to File Response/Reply as to <u>23</u> MOTION for Certification for interlocutory appeal MOTION to Dismiss by GREGORY SELDEN (Attachments: # <u>1</u> Text of Proposed Order)(Emejuru, Ikechukwu) (Entered: 12/07/2016)
12/07/2016		MINUTE ORDER granting <u>26</u> Motion for Extension of Time to File Response/Reply. Plaintiff shall submit his Reply brief by December 12, 2016. Signed by Judge Christopher R. Cooper on 12/7/2016. (lccrc3) (Entered: 12/07/2016)
12/08/2016		Set/Reset Deadlines: Plaintiff's Reply Brief due by 12/12/2016. (zlsj) (Entered: 12/08/2016)
12/12/2016	<u>27</u>	REPLY to opposition to motion re <u>23</u> MOTION for Certification for interlocutory appeal MOTION to Dismiss filed by GREGORY SELDEN. (Emejuru, Ikechukwu) (Entered: 12/12/2016)
12/19/2016	<u>28</u>	ORDER denying <u>23</u> Motion for Certification of Interlocutory Appeal, or in the alternative, to Dismiss. Signed by Judge Christopher R. Cooper on 12/19/2016. (lccrc3) (Entered: 12/19/2016)
12/20/2016	<u>29</u>	Supplemental Record on Appeal transmitted to US Court of Appeals re <u>28</u> ORDER denying Motion for Certification of Interlocutory Appeal, or in the alternative, to Dismiss; USCA Case Number 16-7139. (znmw) (Entered: 12/20/2016)
04/20/2017	<u>30</u>	MANDATE of USCA as to <u>21</u> Notice of Appeal to DC Circuit Court, filed by GREGORY SELDEN ; USCA Case Number 16-7139. (Attachments: # <u>1</u> USCA Order)(td) (Entered: 04/21/2017)
04/25/2017		Case Stayed (zlsj) (Entered: 04/25/2017)
05/01/2017	<u>31</u>	Joint STATUS REPORT by AIRBNB, INC.. (Kennedy, Ellen) (Entered: 05/01/2017)
12/13/2017	<u>32</u>	TRANSCRIPT OF MOTION HEARING before Judge Christopher R. Cooper held on 10-12-2016; Page Numbers: 1 - 42. Date of Issuance: 12-13-2017. Court Reporter/Transcriber Elizabeth SaintLoth, Telephone number 202-354-3242,

		<p>Transcripts may be ordered by submitting the <u>Transcript Order Form</u></p> <p>For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi-page, condensed, CD or ASCII) may be purchased from the court reporter.</p> <p>NOTICE RE REDACTION OF TRANSCRIPTS: The parties have twenty-one days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at www.dcd.uscourts.gov.</p> <p>Redaction Request due 1/3/2018. Redacted Transcript Deadline set for 1/13/2018. Release of Transcript Restriction set for 3/13/2018.(Saint-Loth, Elizabeth) (Entered: 12/13/2017)</p>
02/01/2018		MINUTE ORDER: The parties are directed to file a joint notice on or before February 8, 2018 advising the Court of the status of any arbitration proceedings in this case. Signed by Judge Christopher R. Cooper on 2/1/2018. (lccrc3) (Entered: 02/01/2018)
02/01/2018		Set/Reset Deadlines: Status Report due by 2/8/2018 (lsj) (Entered: 02/01/2018)
02/08/2018	<u>33</u>	Joint STATUS REPORT by AIRBNB, INC.. (Attachments: # <u>1</u> Exhibit 1)(Kennedy, Ellen) (Entered: 02/08/2018)
02/09/2018		MINUTE ORDER: In light of the <u>33</u> status report, the parties are directed to file a further joint status report on or before May 10, 2018. Signed by Judge Christopher R. Cooper on 2/9/2018. (lccrc3) (Entered: 02/09/2018)
02/12/2018		Set/Reset Deadlines: Joint Status Report due by 5/10/2018 (lsj) (Entered: 02/12/2018)