

Note: Below please find the news release issued yesterday by the Local Search Association relating to the industry's delivery opt-out litigation in San Francisco. Though ADP is financially supporting the action and is represented by ADP Counsel Ted Whitehouse on the industry's legal advisory team, ADP is not a named plaintiff. Accordingly, I felt it was appropriate to share LSA's release with you in order to eliminate any possibility of confusion arising from the issuance of a separate release. I would also add that the appellate court gave Judge Armstrong no deadline for finally issuing a decision. – Larry Angove

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Yesterday, the U.S. 9th Circuit Court of Appeals issued an order related to our case against San Francisco that is positive for our industry. Yesterday's court decision does not affect our Seattle case.

The federal appeals court summarily reversed a decision of the lower U.S. District Court in San Francisco that had denied the Local Search Association's request for a preliminary injunction against the San Francisco opt-in ordinance.

The Local Search Association earlier asked the U.S. District Court to halt the implementation of San Francisco's opt-in ordinance until our industry's concerns could be heard. However, based on the City of San Francisco's promise not to enforce its ordinance until the U.S. Court of Appeals ruled on LSA's appeal in the Seattle case, the U.S. District Court refused to grant an injunction against the San Francisco ordinance.

The Court of Appeals' order means that the lower court is now required to decide whether the San Francisco ordinance likely violates the 1st Amendment rights of LSA's members without waiting for a decision in the Seattle case – a decision that could come any day.

While the 9th Circuit order is a victory for the industry, unfortunately, we will continue to face uncertainty until the courts finally rule in both the Seattle and San Francisco cases.

We will continue to keep you updated throughout the litigation process.