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17 Attorneys for Defendants
18 UBER TECHNOLOGIES, INC.,
19 TRAVIS KALANICK, and RYAN GRAVES

20 (Additional counsel listed on signature page)

21 **UNITED STATES DISTRICT COURT**
22 **NORTHERN DISTRICT OF CALIFORNIA**
23 **SAN FRANCISCO DIVISION**

24 DOUGLAS O’CONNOR and THOMAS COLOPY,
25 individually and on behalf of all others similarly
26 situated,

27 Plaintiffs,

28 v.

UBER TECHNOLOGIES, INC., TRAVIS
KALANICK, and RYAN GRAVES

Defendants.

Case No. CV 13-3826-EMC

CLASS ACTION

**STIPULATION AND [~~PROPOSED~~]
ORDER RE PLAINTIFFS’ RENEWED
EMERGENCY MOTION FOR
PROTECTIVE ORDER TO STRIKE
ARBITRATION CLAUSES AND
DEFENDANTS’ MOTION TO DISMISS
PLAINTIFFS’ CLASS ACTION
COMPLAINT (modified)**

**Hearing Date:
Time:**

Before the Hon. Edward M. Chen

1 **STIPULATION**

2 Plaintiffs DOUGLAS O’CONNOR and THOMAS COLOPY (“Plaintiffs”) and Defendants
3 UBER TECHNOLOGIES, INC., TRAVIS KALANICK, and RYAN GRAVES (“Defendants”)
4 (collectively, the “Parties”), through their counsel, hereby stipulate and agree that:

5 WHEREAS, Plaintiffs filed Plaintiffs’ Renewed Emergency Motion for Protective Order to
6 Strike Arbitration Clauses [Dkt. No. 15] with the Court on August 26, 2013;

7 WHEREAS, the Court issued a Notice [Dkt. No. 38] on September 18, 2013, which set the
8 hearing date for Plaintiffs’ Renewed Emergency Motion for Protective Order to Strike Arbitration
9 Clauses as October 17, 2013 at 1:30pm;

10 WHEREAS, Defendants filed Defendants’ Motion to Dismiss Plaintiffs’ Class Action
11 Complaint [Dkt. No. 39] with the Court on September 25, 2013;

12 WHEREAS, the hearing date for Defendants’ Motion to Dismiss Plaintiffs’ Class Action
13 Complaint [Dkt. No. 39] was set as October 31, 2013 at 01:30pm;

14 WHEREAS, the Parties have conferred and agreed to consolidate the hearing dates for
15 Plaintiffs’ Renewed Emergency Motion (October 17, 2013) and Defendants’ Motion to Dismiss
16 (October 31, 2013) and to schedule them both for November 7, 2013, at 01:30pm, pending approval
17 of this Court;

18 WHEREAS, the Court set the response date for Defendants’ Motion to Dismiss as October 9,
19 2013, and the reply date as October 16, 2013;

20 WHEREAS, the Parties have conferred and agreed to revise the response date for
21 Defendants’ Motion to Dismiss as October 17, 2013, and the reply date as October 24, 2013;

22 WHEREAS, the Court issued a Case Management Scheduling Order [Dkt. No. 24] on
23 September 3, 2013, which set the initial scheduling conference date as November 21, 2013;

24 WHEREAS, the Parties have conferred and agreed to postpone the initial scheduling
25 conference set for November 21, 2013 until after the Court rules on the two motions referenced
26 above;

1 NOW, THEREFORE, Plaintiffs and Defendants, through their respective counsel, hereby
2 stipulate, subject to the approval of this Court, that the hearing dates for Plaintiffs' Renewed
3 Emergency Motion for Protective Order to Strike Arbitration Clauses and Defendants' Motion to
4 Dismiss Plaintiffs' Class Action Complaint be consolidated and rescheduled for November ¹⁴~~7~~, 2013
5 at 01:30pm, and to extend the time allotted for Plaintiffs to respond to Defendants' Motion to
6 Dismiss Complaint, and Defendants to reply to Plaintiffs' response, to October 17, 2013 and October
7 24, 2013, respectively.

8 **IT IS SO STIPULATED.**

9 DATED: October 4, 2013

LICHTEN & LISS-RIORDAN, P.C.
A Professional Corporation

10
11 By: /s/ Shannon Liss-Riordan
SHANNON LISS-RIORDAN, *pro hac vice*
12 SARA SMOLIK, *pro hac vice*
Attorneys for Plaintiffs

13 DATED: October 4, 2013

MORGAN LEWIS, LLP.

14
15 By: /s/RobertJonHendricks

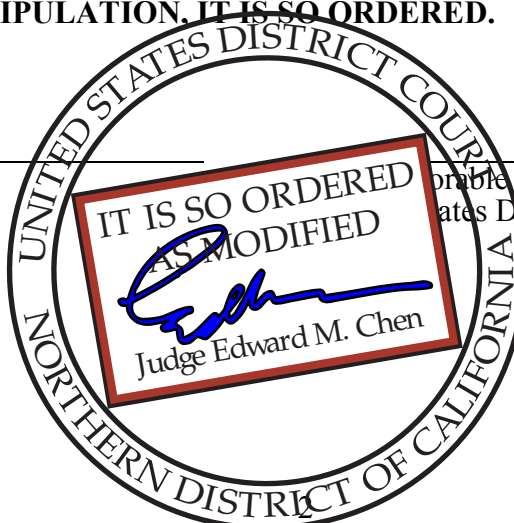
16 ROBERT JON HENDRICKS
STEPHEN L. TAEUSCH
17 Attorney for Defendants

18 **[PROPOSED] ORDER**

19
20 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

The two motions are reset
for 11/14/13 at 1:30 p.m. The
CMC is reset for 12/12/13 at
9:00 a.m. A joint CMC statement
shall be filed by 12/5/13.

21
22 DATED: 10/7/13



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Judge Edward M. Chen
United States District Court Judge

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Additional Counsel

For Plaintiffs, individually and on behalf of all others similarly situated:

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Attestation

I, Shannon Liss-Riordan, am the ECF user whose ID and password are being used to file this STIPULATION AND [PROPOSED] ORDER RE DEFENDANTS’ MOTION TO DISMISS PLAINTIFFS’ CLASS ACTION COMPLAINT AND PLAINTIFFS’ RENEWED MOTION FOR PROTECTIVE ORDER TO STRIKE ARBITRATION CLAUSES. In compliance with General Order 45, I hereby attest that Robert Jon Hendricks, counsel for Defendants, has concurred in this filing.

Dated: October 4, 2013

By: /s/ Shannon Liss-Riordan
SHANNON LISS-RIORDAN
Attorney for Plaintiffs