

1 ROBERT AHDOOT, SBN 172098
 rahdoot@ahdootwolfson.com
 2 TINA WOLFSON, SBN 174806
 twolfson@ahdootwolfson.com
 3 **AHDOOT & WOLFSON, P.C.**
 1016 Palm Ave.
 4 West Hollywood, California 90069
 Tel: 310-474-9111; Fax: 310-474-8585

5 *Attorneys for Plaintiffs,*
 6 Julian Mena, Todd Schreiber, Nate Coolidge, and Ernesto Mejia

7 [Additional counsel appear on signature page]

8
 9 **UNITED STATES DISTRICT COURT**
 10 **NORTHERN DISTRICT OF CALIFORNIA**

11 MATTHEW PHILLIBEN, individually and on
 12 behalf of all others similarly situated; and BYRON
 13 MCKNIGHT, individually and on behalf of all
 others similarly situated,

14 **Plaintiffs,**

15 v.

16 UBER TECHNOLOGIES, INC., a Delaware
 17 Corporation, and RASIER, LLC, a Delaware
 Limited Liability Company,

18 **Defendants.**

Case No. 4:14-cv-05615-JST

19
 20 JULIAN MENA, TODD SCHREIBER, NATE
 21 COOLIDGE, and ERNESTO MEJIA, individually
 and on behalf of all others similarly situated,

22 **Plaintiffs,**

23 v.

24 UBER TECHNOLOGIES, INC., a Delaware
 25 Corporation,

26 **Defendants.**

Case No. 3:15-cv-00064-JST

**JOINT STIPULATION AND ~~PROPOSED~~
 ORDER CONSOLIDATING CASES FOR
 ALL PURPOSES AND PERMITTING
 FILING OF CONSOLIDATED
 COMPLAINT**

Hon. Jon S. Tigar, Presiding

1 This Stipulation is entered into by and among plaintiffs Matthew Philliben, Julian Mena, Todd
2 Schreiber, Nate Coolidge, Ernesto Mejia, and Byron McKnight (collectively, “Plaintiffs”), and
3 defendants Uber Technologies, Inc. and Rasier, LLC (collectively, “Defendants”) by and through their
4 respective counsel;

5 WHEREAS, the *Philliben* complaint was filed on December 23, 2014;

6 WHEREAS, the *Mena* complaint was filed on January 6, 2015;

7 WHEREAS, counsel for Defendants has duly accepted service of the Summonses and
8 Complaints;

9 WHEREAS, on March 20, 2015, Defendants filed a Motion to Stay Proceedings Pending
10 Arbitration in *Philliben*;

11 WHEREAS, on May 4, 2015, Defendants filed a Motion to Stay Proceedings Pending
12 Arbitration in *Mena*;

13 WHEREAS, on December 14, 2015, the Court in *Philliben* vacated the hearing on Defendants’
14 Motion to Stay Proceedings Pending Arbitration and ordered that discovery remain stayed;

15 WHEREAS, on December 14, 2015, the Court in *Mena* vacated the hearing on Defendants’
16 Motion to Stay Proceedings Pending Arbitration and ordered that discovery remain stayed;

17 WHEREAS, counsel of the parties have reached a settlement in principle in this matter and are
18 drafting a Stipulation of Settlement, with the goal of filing said Stipulation along with a motion for
19 preliminary approval in January 2016;

20 WHEREAS, counsel for the parties have conferred, and the parties are in agreement that the
21 *Mena* action should be consolidated with the *Philliben* action for all purposes because the cases
22 involve similar complaints and common questions of law or fact, and because consolidation would
23 advance the interests of judicial economy; and

24 WHEREAS, the parties seek to agree upon a schedule for the filing of a consolidated
25 complaint.

1 IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel for
2 Plaintiffs and Defendants, that:

3 1. The following actions are related cases within the meaning of Local Civil Rule 3-12(a):

4 a. *Matthew Philliben, et al. v. Uber Technologies, Inc., et al.*, Case No. 3:14-cv-
5 05615-JST; and

6 b. *Julian Mena, et al. v. Uber Technologies, Inc., et al.*, Case No. 3:15-cv-00064-JST.

7 2. Pursuant to Federal Rule of Civil Procedure 42(a), the above-captioned actions are
8 hereby consolidated for all purposes into one action.

9 3. These actions shall be referred to herein as the “Consolidated Actions.” The Master
10 Docket and Master File for the Consolidated Actions shall be Civil Action No. 3:14-cv-05615-JST.

11 4. Every pleading in this Consolidated Action shall bear the following caption:

12 MATTHEW PHILLIBEN, JULIAN MENA,
13 TODD SCHREIBER, NATE COOLIDGE,
14 ERNESTO MEJIA, and BYRON McKnight,
15 individually and on behalf of all others similarly
situated,

16 Plaintiffs,

17 v.

18 UBER TECHNOLOGIES, INC., a Delaware
19 Corporation, and RASIER, LLC, a Delaware
20 Limited Liability Company,

21 Defendants.

Case No. 4:14-cv-05615-JST

Honorable Jon S. Tigar, Presiding

22 All orders, pleadings, motions and other documents shall, when filed and docketed in the Master file,
23 be deemed filed and docketed in each individual case to the extent applicable.

24 5. All subsequently-filed class or individual actions against the Defendants alleging the
25 same or similar claims as alleged in the complaints in these actions shall be consolidated under the
26 case *Matthew Philliben, et al. v. Uber Technologies, Inc., et al.*, Case No. 4:14-cv-05615-JST.

27 6. The Plaintiffs shall file a Consolidated Complaint within three (3) business days from
28 the issuance of this Order.

1 7. The deadline for Defendants' responsive pleading to the Consolidated Complaint is
2 stayed pending the Court's determination of the upcoming motion for preliminary approval of the
3 class settlement.

4 This Stipulation is without prejudice to any other rights that any party may have.

5 DATED: December 31, 2015

Respectfully submitted,

6 **AHDOOT & WOLFSON, PC**

7 By: /s/ Robert Ahdoot
8 Robert Ahdoot
9 rahdoot@ahdootwolfson.com
10 Tina Wolfson
11 twolfson@ahdootwolfson.com
12 1016 Palm Avenue
13 West Hollywood, California 90069
14 Tel: 310-474-9111
15 Fax: 310-474-8585

Attorneys for Plaintiffs,
Julian Mena, Todd Schreiber, Nate Coolidge, and
Ernesto Mejia

16 **ARIAS, SANGUINETTI, STAHL &
17 TORRIJOS, LLP**

18 By: /s/ Mike Arias
19 Mike Arias
20 mike@asstlawyers.com
21 Alfredo Torrijos
22 alfredo@asstlawyers.com
23 6701 Center Drive West, Suite 1400
24 Los Angeles, California 90045-7504
25 Tel: 310-844-9696; Fax: 310-861-0168

26 **LIDDLE & DUBIN, P.C.**

27 By: /s/ Steven D. Liddle
28 Steven D. Liddle (admitted *pro hac vice*)
sliddle@mldclassaction.com
Nicholas A. Coulson (admitted *pro hac vice*)
ncoulson@mldclassaction.com
975 E. Jefferson Avenue
Detroit, Michigan 48207
Tel: 313-392-0015; Fax: 313-392-0025

Attorneys for Plaintiffs,
Matthew Philliben and Byron McKnight

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

DATED: December 30, 2015

Respectfully submitted,

IRELL & MANELLA LLP

By: /s/ Andra Barmash Greene
Andra Barmash Greene
agreene@irell.com
A. Matthew Ashley
mashley@irell.com
840 Newport Center Drive, Suite 400
Newport Beach, California 92660
Tel: 949-760-0991; Fax: 949-760-5200

Attorneys for Defendants,
Uber Technologies, Inc. and Rasier, LLC

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: January 4, 2016



Honorable Jon S. Tigar
United States District Judge

1
2 **CERTIFICATION PER GENERAL ORDER NO. 45, § X-B**

3 Pursuant to General Order No. 45, § X-B, I, Robert Ahdoot, hereby certify that on December
4 30, 2015, Andra B. Greene authorized me to submit this Joint Stipulation And [Proposed] Order
5 Consolidating Cases For All Purposes And Permitting Filing Of Consolidated Complaint.

6
7 Dated: December 31, 2015

/s/ Robert Ahdoot
Robert Ahdoot