

United States District Court
Northern District of California

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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

WENDOVER PRODUCTIONS, LLC, et al.,

Plaintiffs,

v.

PAYPAL, INC.,

Defendant.

Case No. 24-cv-09470-BLF

ELI SILVA, et al.,

Plaintiffs,

v.

PAYPAL HOLDINGS, INC., et al.

Defendants.

Case No. 5:24-cv-09510-BLF

GamersNexus LLC,

Plaintiff,

v.

PAYPAL HOLDINGS, INC.,

Defendant.

Case No. 5:25-cv-00114-BLF

CLAUDIA JAYNE YOUNG,

Plaintiff,

v.

PAYPAL, INC., et al.,

Defendants.

Case No. 5:25-cv-00124-BLF

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SHONNA COLEMAN,
Plaintiff,
v.
PAYPAL HOLDINGS, INC., et al.,
Defendants.

Case No. 5:25-cv-00367-BLF

JOSE MORAN,
Plaintiff,
v.
PAYPAL, INC, et al.,
Defendants.

Case No. 5:25-cv-00476-BLF

LYON FITNESS, LLC,
Plaintiff,
v.
PAYPAL HOLDINGS, INC., et al.,
Defendants.

Case No. 5:25-cv-00501-BLF

EDGAR OGANESYAN, et al.,
Plaintiffs,
v.
PAYPAL, INC., et al.
Defendants.

Case No. 4:25-cv-00518-BLF

BREVARD MARKETING LLC,
Plaintiff,
v.
PAYPAL, INC., et al.,
Defendants.

Case No. 5:25-cv-00573-BLF

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CAMERON KING,

Plaintiff,

v.

PAYPAL HOLDINGS, INC., et al.,

Defendants.

Case No. 5:25-cv-00581-BLF

KARIN BAUER, et al.,

Plaintiffs,

v.

PAYPAL, INC., et al.,

Defendants.

Case No. 5:25-cv-00580-BLF

BENJAMIN KAYNE,

Plaintiff,

v.

PAYPAL HOLDINGS, INC., et al.,

Defendants.

Case No. 5:25-cv-00668-BLF

VICTORIA WADE,

Plaintiff,

v.

PAYPAL, INC.,

Defendant.

Case No. 5:25-cv-00701-BLF

XAVIER SMITH,

Plaintiff,

v.

PAYPAL HOLDINGS, INC.,

Defendant.

Case No. 5:25-cv-00847-BLF

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THE LATINA TRADWIFE, LLC,
Plaintiff,
v.
PAYPAL HOLDINGS, INC, et al.,
Defendants.

Case No. 5:25-cv-00850-BLF

ORDER CONSOLIDATING CASES

[Re: ECF No. 38]

The Court has related *Silva v. PayPal*, No. 5:24-cv-09510-BLF (N.D. Cal.), *GamersNexus LLC v. PayPal Holdings, Inc.*, et al., No. 5:25-cv-00114-BLF (N.D. Cal.), *Young v. Paypal, Inc., et al.*, No. 5:25-cv-00124-BLF (N.D. Cal.), *Coleman v. PayPal, Inc., et al.*, No. 5:25-cv-00367-BLF (N.D. Cal.), *Moran v. PayPal, Inc., et al.*, No. 5:25-cv-00476-BLF (N.D. Cal.), *Lyon Fitness v. PayPal, Inc., et al.*, No. 5:25-cv00501-BLF (N.D. Cal.), *Oganesyan, et al. v. PayPal, Inc., et al.*, No. 4:25-cv-00518-BLF (N.D. Cal.), *Brevard Marketing v. PayPal, Inc., et al.*, No. 5:25-cv-00573-BLF (N.D. Cal.), *King v. PayPal Inc., et al.*, No. 5:25-cv-00581-BLF (N.D. Cal.), *Bauer v. PayPal, Inc., et al.*, No. 5:25-cv-580-BLF (N.D. Cal.), *Kayne v. PayPal Holdings, Inc., et al.*, No. 5:25-cv-668-BLF (N.D. Cal.), *Wade v. PayPal, Inc.*, No. 5:25-cv-00701-BLF (N.D. Cal.), *Smith v. PayPal Holdings, Inc.*, No. 5:25-cv-00847-BLF (N.D. Cal.) and *The Latina Tradewife, LLC v. PayPal Holdings, Inc., et al.*, No. 5:25-cv-00850-BLF (N.D. Cal.) to *Wendover Productions, LLC, et al. v. PayPal, Inc.*, No. 5:24-cv-9470-BLF, (N.D. Cal.) (collectively, “Related Actions”) and all cases are now assigned to the undersigned Judge. ECF 35, 39, 46, 47.

Before the Court is a motion to consolidate the Related Actions, and any future related actions filed in, removed to, or transferred to this Court brought by plaintiffs in *Silva v. PayPal, Inc.*, No. 5:24-cv-09510-BLF (N.D. Cal.), *GamersNexus LLC v. PayPal Holdings, Inc., et al.*, No. 5:25-cv-00114-BLF (N.D. Cal.), *Young v. PayPal, Inc., et al.*, No. 5:25-cv-00124-BLF (N.D. Cal.), *Coleman v. PayPal, Inc., et al.*, No. 5:25- cv-00367-BLF (N.D. Cal.), *Moran v. PayPal, Inc., et al.*, No. 5:25-cv-00476-BLF (N.D. Cal.), *Lyon Fitness v. PayPal, Inc., et al.*, No. 5:25-cv-00501-BLF (N.D. Cal.), *Oganesyan, et al. v. PayPal, Inc., et al.*, No. 4:25-cv-00518-BLF (N.D. Cal.), *Brevard Marketing v. PayPal, Inc., et al.*, No. 5:25- cv-00573-BLF (N.D. Cal.) and *Wendover Productions, LLC, et al. v. PayPal, Inc.*, No. 5:24-cv09470-BLF (N.D. Cal.) ECF 38. The plaintiffs in *King v. PayPal, Inc., et al.*, No. 5:25-cv-00581-BLF (N.D. Cal.), *Bauer, et al. v. PayPal, Inc., et al.*, No.

1 5:25- cv-580-BLF (N.D. Cal.), and *Kayne v. PayPal Holdings, Inc., et al.*, No. 5:25-cv-668-BLF
2 (N.D. Cal.) do not oppose the motion and request the Court to consolidate the actions. *See King* ECF
3 17; *Bauer* ECF 15; *Kayne* ECF 15. Defendants PayPal, Inc. and PayPal Holdings, Inc. (collectively,
4 “Defendants”) do not oppose the motion. ECF 44. The Court finds the motion appropriate for
5 disposition without oral argument, and hereby VACATES the hearing scheduled for May 8, 2025.
6 *See* Civ. L.R. 7-1(b).

7 For the reasons stated below, the Court GRANTS the motion.

8 **I. LEGAL STANDARD**

9 “If actions before the court involve a common question of law or fact, the court may . . .
10 consolidate the actions.” Fed. R. Civ. P. 42(a)(2). District courts have “broad discretion under [Rule
11 42(a)] to consolidate cases pending in the same district.” *Investors Research Co. v. U.S. Dist. Court*
12 *for Cent. Dist. of California*, 877 F.2d 777, 777 (9th Cir. 1989). “In determining whether or not to
13 consolidate cases, the Court should weigh the interest of judicial convenience against the potential
14 for delay, confusion and prejudice.” *Bodri v. Gopro, Inc.*, 2016 WL 1718217, at *1 (N.D. Cal. Apr.
15 28, 2016) (quotation marks omitted) (quoting *Zhu v. UCBH Holdings, Inc.*, 682 F.Supp.2d 1049,
16 1052 (N.D. Cal. 2010)).

17 **II. DISCUSSION**

18 The 15 Related Actions, which are all pending before the Court, present similar factual and
19 legal issues, as they each involve the same subject matter and are based on the same alleged wrongful
20 conduct. ECF 38 at 6. Specifically, Plaintiffs in all Related Actions bring claims against Defendants
21 alleging that Defendants’ use of the Honey browser extension misappropriated referral
22 commissions. *See id.* Because the cases are based on the same subject matter, arise from the same
23 nucleus of operative facts, assert similar causes of action, define similar and overlapping classes,
24 alleging similar wrongful conducts, and seeking similar remedies, the Court finds that the same
25 discovery and class certification issues will be relevant to all Related Actions. Thus, consolidation
26 will conserve judicial resources and reduce the time and cost of trying the cases separately. As such,
27 the Court finds that consolidation is appropriate and will grant the motion to consolidate all Related
28 Actions.

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III. ORDER

For the foregoing reasons, IT IS HEREBY ORDERED that:

1. Pursuant to Fed. R. Civ. P. 42(a), the above-captioned actions and any future related actions filed in, removed to, or transferred to this Court are CONSOLIDATED for all purposes.
2. The consolidated action will be captioned *In re PayPal Honey Browser Extension Litigation* and all future filings will be filed in No. 24-9470. The Court ORDERS that the Clerk of the Court administratively close *Silva v. PayPal*, No. 5:24-cv-09510-BLF (N.D. Cal.), *GamersNexus LLC v. PayPal Holdings, Inc., et al.*, No. 5:25-cv-00114-BLF (N.D. Cal.), *Young v. PayPal, Inc., et al.*, No. 5:25-cv-00124-BLF (N.D. Cal.), *Coleman v. PayPal Inc., et al.*, No. 5:25-cv-00367-BLF (N.D. Cal.), *Moran v. PayPal, Inc., et al.*, No. 5:25-cv-00476-BLF (N.D. Cal.), *Lyon Fitness v. PayPal, Inc., et al.*, No. 5:25-cv00501-BLF (N.D. Cal.), *Oganesyan, et al. v. PayPal, Inc., et al.*, No. 4:25-cv-00518-BLF (N.D. Cal.), *Brevard Marketing v. PayPal, et al., Inc.*, No. 5:25-cv-00573-BLF (N.D. Cal.), *King v. PayPal, Inc., et al.*, No. 5:25-cv-00581-BLF (N.D. Cal.), *Bauer, et al., v. PayPal, Inc., et al.*, No. 5:25-cv-580-BLF (N.D. Cal.), *Kayne v. PayPal Holdings, Inc., et al.*, No. 5:25-cv-668-BLF (N.D. Cal.), *Wade v. PayPal, Inc.*, No. 5:25-cv-00701-BLF (N.D. Cal.), *Smith v. PayPal Holdings, Inc.*, No. 5:25-cv-00847-BLF (N.D. Cal.) and *The Latina Tradwife, LLC v. PayPal Holdings, Inc., et al.*, No. 5:25-cv-00850-BLF (N.D. Cal.).
3. The Court GRANTS the parties' request to implement a process for appointing interim class counsel pursuant to Fed. R. Civ. P. 23(g) and to set schedule for filing a Consolidated Complaint:
 - a. Within fourteen (14) calendar days of the date of this order, plaintiffs' counsel in any of the 15 consolidated Related Actions may file an individual or joint application for consideration as interim class counsel. Each attorney's individual or joint application shall not exceed ten (10) pages double-spaced addressing the factors set forth in Rule 23(g) and may attach or include a link to their firm

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resume(s). Counsel may file an optional two-page double-spaced response (including attachments), no later than five (5) business days from the filing deadline of the initial applications. No reply briefs will be permitted.

- b. Within forty-five (45) days following the entry of the Court’s order appointing interim class counsel, the appointed interim class counsel, on behalf of all plaintiffs in the consolidated Related Actions, SHALL file a Consolidated Complaint. Defendants SHALL respond to the Consolidated Complaint within forty-five (45) days. If Defendants respond by way of motion, Plaintiffs SHALL file any opposition within forty (40) days, and Defendants SHALL file any Reply within twenty-one (21) days.

Dated: January 29, 2025



BETH LABSON FREEMAN
United States District Judge