

# L I C H T E N & L I S S - R I O R D A N , P . C .

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◆ ADMITTED IN CONNECTICUT  
◇ ADMITTED IN DISTRICT OF COLUMBIA  
□ ADMITTED IN TENNESSEE

May 23, 2022

## VIA: UPS AND ELECTRONIC FILING

Mr. Scott S. Harris  
Clerk of the Court  
Supreme Court of the United States  
1 First Street, NE  
Washington, DC 20543-0001  
sharris@supremecourt.gov

Re: Postmates, LLC fka Postmates, Inc. v. Jacob Rimler et al., No. 21-119

Dear Clerk Harris:

Respondents Jacob Rimler, et al., (“Respondents”) write to request a further extension of Respondents’ current May 31, 2022, deadline to respond to Petitioner’s Petition for Writ of Certiorari in this matter.

As Respondents have explained in prior correspondence, the Parties have reached a class action settlement resolving all claims in this case, which was filed in San Francisco Superior Court. See Rimler v. Postmates, Inc., Case No. CGC-18-567868 (San Francisco Superior Court); Postmates Classification Cases, Case No. CJC-20-005068 (San Francisco Superior Court). The Court granted final approval of the settlement on May 6, 2022. See Final Judgment (attached hereto as Exhibit A). The deadline for any potential objectors to appeal from the settlement is sixty (60) days later, July 5, 2022. See Cal. Rules of Court 8.104(a). Accordingly, the settlement will not become final until July 6, 2022, if there are no appeals filed.

Moreover, Respondent also notes that Viking River Cruises, Inc. v. Moriana, No. 20-1573, which presents the same issue as this case, was argued before the Supreme Court on March 30, 2022. The issue is also pending in writ petitions in Coverall North America, Inc. v. Rivas, No. 21-268 and Lyft, Inc. v. Seifu, No. 21-742.

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Accordingly, Respondents request a further extension of their deadline to respond to the Petition, until July 22, 2022, by which time the Viking River Cruises opinion will likely have been issued, and the deadline for any objectors to appeal from the settlement will have expired. Counsel for Petitioner has informed the undersigned that Petitioner does not object to a further extension.

Respectfully submitted,

/s/ Shannon Liss-Riordan  
Shannon Liss-Riordan  
Counsel for Respondents

cc:    Theane Evangelis (counsel for Petitioner)  
      Bradley Hamburger (counsel for Petitioner)  
      Dhananjay Manthripragada (counsel for Petitioner)

# Exhibit A



**FILED**  
San Francisco County Superior Court

MAY -6 2022

CLERK OF THE COURT  
BY: *L. W. Zahradka*  
Deputy Clerk

**SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF SAN FRANCISCO**

COORDINATION PROCEEDING SPECIAL  
TITLE [RULE 3.550]

CASE NO. CJC-20-005068

CASE NO. CGC-18-567868

POSTMATES CLASSIFICATION CASES

**FINAL JUDGMENT**

Included Actions:

Winns v. Postmates, Inc., No. CGC-17-562282  
(San Francisco Superior Court)

Rimler v. Postmates, Inc., No. CGC-18-567868  
(San Francisco Superior Court.)

Brown v. Postmates, Inc., No. BC712974  
(Los Angeles Superior Court)

Santana v. Postmates, Inc., No. BC720151  
(Los Angeles Superior Court)

Vincent v. Postmates, Inc., No. RG19018205  
(Alameda County Superior Court)

Altounian v. Postmates, Inc., No. CGC-20-  
584366 (San Francisco Superior Court)

1 Judgment is hereby entered in accordance with the terms of this Court's Order Granting  
2 Final Approval of Class Action Settlement, Attorneys' Fees, Costs, and Service Awards dated  
3 May 6, 2022 ("Final Approval Order").

4 The class is defined as:

5 Any and all individuals who entered into an agreement with Postmates  
6 to use the Postmates platform as an independent contractor to offer  
7 delivery services to customers, and used the Postmates platform as an  
8 independent contractor courier to accept or complete at least one  
9 delivery in California between June 3, 2017, and January 1, 2021.

10 982 class members submitted valid requests for exclusion, and 25 class members were  
11 never provided with any notice. These Settlement Class Members are excluded from the  
12 Settlement Class. A list of those Settlement Class Members who are excluded from the  
13 Settlement Class is attached hereto as **Exhibit A**.

14 Participating Settlement Class Members shall receive their respective shares of the Net  
15 Settlement Amount as provided for in the Settlement Agreement and all Amendments thereto.  
16 The total amount that will be payable to the class pursuant to this Judgment is \$17,655,447.00.

17 This Court shall retain jurisdiction with respect to all matters related to the  
18 administration and consummation of the Settlement, and any and all claims, asserted in, arising  
19 out of, or related to the subject matter of the lawsuit, including but not limited to all matters  
20 related to the Settlement, this Judgment, and the determination of all controversies relating  
21 thereto.

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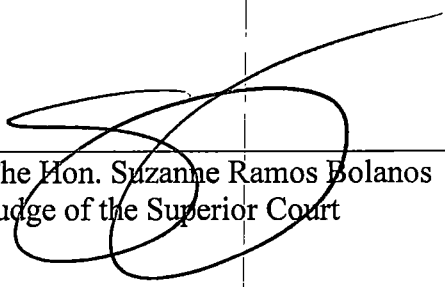
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Plaintiff shall give notice of this Judgment to Settlement Class Members, pursuant to rule 3.771 of the California Rules of Court, by posting an electronic copy of the Judgment and the Final Approval Order on the Settlement Administrator's website for a period of at least 60 days from the date judgment is entered.

This document shall constitute a judgment for the purposes of C.R.C. 3.769(h).

IT IS SO ORDERED.

Dated: *May 6, 2022*

By:   
The Hon. Suzanne Ramos Bolanos  
Judge of the Superior Court