

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

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September 21, 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 September 30, 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. Plaintiffs filed an unopposed Motion to Amend the Judgment, which was granted on July 22, 2022. The deadline for any potential objectors to appeal from the settlement was yesterday, September 20, 2022. See Cal. Rules of Court 8.104(a). No appeals were taken. Thus, the settlement is final and Postmates is expected to fund the settlement on October 11, 2022.

Moreover, Respondent also notes that Viking River Cruises, Inc. v. Moriana, No. 20-1573, which presents the same issue as this case, was decided on June 15, 2022.

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Thus, Respondent respectfully submits that Petitioner's Petition is moot, both because the parties have reached a settlement and because the issue presented in Petitioner's Petition has already been decided by the Court.

Accordingly, if the Court is not inclined to dismiss Petitioner's Petition as moot, Respondents request a further extension of their deadline to respond to the Petition, until October 31, 2022, to allow Petitioner an opportunity to withdraw its Petition in the interim.

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)