

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

DOUGLAS O'CONNOR, et al.,

Plaintiffs,

v.

UBER TECHNOLOGIES, INC., et al.,

Defendants.

Case No. [13-cv-03826-EMC](#)

**ORDER RE STAY**

In a previous order, this Court stayed this case and four related cases until the next Case Management Conference, set for February 2, 2017. Docket No. 769. Since that order, the parties have apprised the Court of a tentative settlement agreement between Uber and the Plaintiffs in *Price v. Uber Techs., Inc.* Los Angeles Superior Court Case No. BC554512, that would, if finalized, resolve the Private Attorneys General Act ("PAGA") claims asserted therein, and could preclude Plaintiffs from asserting similar claims in the instant case. Plaintiffs in *O'Connor* now request that, in light of the proposed agreement in *Price*, the Court immediately grant their motion to amend their complaint to add PAGA claims to this case and set this case for trial on those claims, actions which Plaintiffs believe will lead the state court not to approve the proposed settlement in *Price*. Docket No. 776. The Court declines to do so. Issues of federal-state comity counsel against interfering with a state court's resolution of what is, after all, a state law issue. Furthermore, Uber has stated that it will not oppose any attempt by the Plaintiffs in this case or the related cases to voice their concerns about the adequacy and fairness of the proposed PAGA settlement in *Price*. Docket No. 775. Thus, while Plaintiffs are correct that this Court previously disapproved the settlement in this case in part because of the inadequate consideration for waiver of potential PAGA claims (the maximum verdict value of which was estimated to be

1 approximately \$1 Billion), it appears that Plaintiffs will have an opportunity to raise that issue, and  
2 any other arguments against granting settlement approval, before the state court in *Price*.

3 Accordingly, the Court's stay remains in place until the next Case Management  
4 Conference on February 2, 2017.

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6 **IT IS SO ORDERED.**

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8 Dated: December 12, 2016

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11 EDWARD M. CHEN  
12 United States District Judge  
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