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Attorneys for Plaintiff

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

JACOB CARRILLO, on behalf of himself and
all others similarly situated,

Plaintiff,

vs.

BIKEHUB, a California corporation;
BICYCLE TRANSIT SYSTEMS, INC., a
Delaware Corporation; and DOES 1 through
100,

Defendants.

Case No. 20STCV28879

*[Assigned for all purposes to the Hon.
David S. Cunningham; Dept. SSC-11]*

**PLAINTIFF'S SUPPLEMENTAL BRIEF
IN RESPONSE TO COURT'S APRIL 25,
2022 TENTATIVE RULING RE:
PLAINTIFF'S MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT**

Date: June 3, 2022
Time: 11:00 a.m.
Dept.: SSC-11

Complaint Filed: July 29, 2020
Trial Date: None set

1 Plaintiff Jacob Carrillo (“Plaintiff”) submits this supplemental brief in response to the
2 Court’s April 25, 2022 Tentative Ruling Regarding Plaintiff’s Motion for Preliminary Approval
3 of Class Action Settlement (“Tentative Ruling”) in which the Court listed a number of issues for
4 Plaintiff to address. Plaintiff and Defendants Bikehub and Bicycle Transit Systems, Inc.
5 (“Defendants”) (Plaintiff and Defendants are collectively referred to as the “Parties”) have met
6 and conferred and have amended the Settlement Agreement and Class Notice and otherwise
7 addressed the Court’s concerns, as addressed below.

8 A redlined version of the amended Stipulation of Class Action and PAGA Settlement
9 (“Settlement Agreement”), reflecting the changes made to the original Settlement Agreement, is
10 attached to the concurrently-filed Declaration of Sean M. Blakely (“Blakely Decl.”) as **Exhibit**
11 **1**. A redlined version of the amended Class Notice, reflecting the changes made to the original
12 Class Notice, is attached to the Blakely Decl. as **Exhibit 2**. The fully-executed, amended
13 Settlement Agreement is attached to the Blakely Decl. as **Exhibit 3**. A clean version of the
14 amended Class Notice is attached to the Blakely Decl. as **Exhibit 4**.

15 **Issue 1: Scope of Release**

16 The April 25, 2022 Tentative Ruling states: “Why would it be appropriate for the release
17 of claims to extend to Participating Class Members’ spouses?”

18 The Parties have revised the Settlement Agreement to modify it such that the release of
19 claims does not extend to Participating Class Members’ spouses. *See* Blakely Decl., Exhibits 1
20 and 3, ¶ 70.

21 **Issue 2(a): Notice and Notice Administration**

22 The April 25, 2022 Tentative Ruling states: “Remove any language indicating or implying
23 that class members must use specific language to request exclusion.”

24 The Parties have revised the Class Notice and Settlement Agreement to remove any
25 language that indicates or suggests that Class Members must use specific language to request
26 exclusion. *See* Blakely Decl. at Exhibits 2 and 4, page 5; Exhibits 1 & 3, ¶¶ 33, 61.

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1 **Issue 2(b): Notice and Notice Administration**

2 The April 25, 2022 Tentative Ruling states: “On pg. 1 of the Notice, please add boxes
3 summarizing class member’s options (do nothing, request exclusion, object) and the deadlines for
4 making requests for exclusion and written objections as appropriate. The last box should contain
5 the date, time and location of the Final Approval Hearing.”

6 The Parties have made the requested addition to the Class Notice. *See* Blakely Decl.,
7 Exhibits 2 and 4, page 1.

8 **Issue 2(c): Notice and Notice Administration**

9 The April 25, 2022 Tentative Ruling states: “On the Notice, remind Class Members in
10 bold print to keep the Settlement Administrator advised of any change of address.”

11 The Parties have made the requested change to the Class Notice. *See* Blakely Decl.,
12 Exhibits 2 and 4, page 1.

13 **Issue 3: Amendments to Settlement Agreement**

14 The April 25, 2022 Tentative Ruling states: “Add ‘the Court’s approval’ as an additional
15 requirement for any modifications to the agreement.”

16 The Parties have made the requested amendment to the Settlement Agreement. *See*
17 Blakely Decl., Exhibits 1 and 3, ¶ 78.

18 **CONCLUSION**

19 Based on the above, Plaintiff respectfully submits that the Parties have addressed the
20 Court’s concerns, and respectfully requests that the Court sign the [Amended Proposed] Order
21 Granting Preliminary Approval of Class Action Settlement, filed concurrently herewith.

22
23 DATED: May 11, 2022

HAINES LAW GROUP, APC

24 By: 

25 Paul K. Haines

26 Sean M. Blakely

27 Neil M. Larsen

28 Attorneys for Plaintiff