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Attorneys for Plaintiffs

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF SAN FRANCISCO
CIVIL UNLIMITED

BARBRA DECKER;
Plaintiff,

vs.

POSTMATES, INC.; and DOES 1 through 100,
Inclusive,

Defendants.

No. CGC-20-586984

**DECLARATION OF KATHERINE A.
RABAGO IN SUPPORT OF
PLAINTIFF'S MOTION FOR AN
ORDER FOR DISMISSAL**

DATE: April 9, 2026
TIME: 9:00 A.M.
DEPT: 302

Assigned for all Purposes to: Joseph M.
Quinn

Complaint Filed: September 17, 2020

1 I, the undersigned, hereby state and declare:

- 2 1. I am an attorney licensed to practice before all courts of California, and an associate with
3 Arns Davis Law, counsel for Plaintiff herein.
- 4 2. I make this Declaration in support of Plaintiff's Motion for an Order for Dismissal.
- 5 3. Plaintiff Barbra Decker initially filed a class action complaint in the above-captioned
6 matter on September 17, 2020.
- 7 4. On January 22, 2021, Defendant filed a Motion to Compel Arbitration and Staying
8 Litigation arguing that Plaintiff's individual claims are subject to a valid and enforceable
9 agreement that requires Plaintiff to resolve her dispute with Postmates in individual
10 arbitration. Defendant contended the FAA and California law also mandate a stay of all
11 proceedings pending the completion of arbitration; and that California law mandates a
12 stay pending completion of overlapping actions that have been ordered to arbitration and
13 pending applications for an order compelling arbitration. Plaintiff along with her counsel
14 decided to voluntarily request dismissal of her class action claims. This court ordered
15 dismissal without prejudice on June 30, 2021.
- 16 5. Plaintiff through my office filed a Second Amended Complaint on August 10, 2021
17 including only representative claims arising under the Private Attorney General Act
18 (PAGA). Defendant subsequently filed a Motion to Compel Arbitration and Stay
19 Litigation. The court denied to compel arbitration and granted the stay of litigation on
20 March 22, 2022.
- 21 6. Defendant appealed this court's ruling on May 18, 2022, and the matter was briefed and
22 argued before the Court of Appeal, First Appellate District, Division Two. The Court of
23 Appeal reversed the order to compel arbitration based on new binding authority in *Viking*
24 *River Cruises, Inc. v. Moriana*, 596 U.S. 639 (2022) and *Adolph v. Uber Technologies*,
25 14 Cal. 5th 1104 (2023). In accordance with the appellate opinion, this Court ordered Ms.
26 Decker to arbitrate her individual PAGA claims, and the instant action was stayed
27 pending the arbitration.

- 1 7. Plaintiff has not moved for a prior order dismissing this defendant pursuant to California
2 Rules of Court, rule 3.770 has been made by Plaintiff.
3
4 8. The absent representative group has not been notified of the pendency of this matter.
5 Class Certification arguments never came on issue and were never briefed nor argued
6 before the court. There has been no publicity about this case and there is no evidence that
7 any member of the representative group is relying upon this matter to prosecute their
8 claim.

9 Dated: March 13, 2026

ARNS DAVIS LAW

11
12 By: 
13 KATHERINE A. RABAGO
14 Attorneys for Plaintiffs
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1 **Decker, B. v. Postmates, Inc.**
2 **San Francisco Superior Court Case No. CGC-20-586984**

3
4 CERTIFICATE OF SERVICE

5 I, the undersigned, declare as follows:

6 I am a citizen of the United States, over the age of 18 years and not a party to, nor interested in, the above-
7 entitled action. I am an employee of Arns Davis Law Firm, A Professional Corporation, and my business address
8 is 515 Folsom Street, 3rd Floor, San Francisco, CA 94105

9 On March 13, 2026, I served the following: **DECLARATION OF KATHERINE A. RABAGO IN**
10 **SUPPORT OF PLAINTIFF'S MOTION FOR AN ORDER FOR DISMISSAL**

11 on all interested parties in the above cause, by:

12 X **ONLY BY ELECTRONIC TRANSMISSION** Only by emailing the document(s) to the persons
13 at the e-mail address(es) below pursuant to California Code of Civil Procedure § 1010.6

14 The envelopes were addressed as follows:

15 Dhananjay S. Manthripragada
16 Gibson, Dunn & Crutcher LLP
17 333 South Grand Avenue
18 Los Angeles, CA 90071-3197
19 DManthripragada@gibsondunn.com
20 JGreenberg@gibsondunn.com
21 amather@gibsondunn.com
22 smathur@gibsondunn.com
23 kgeary@gibsondunn.com

24 *Counsel for Postmates, Inc.*

25 I declare under penalty of perjury under the laws of the State of California that the foregoing is true and
26 correct:

27 Executed on March 13, 2026 at San Francisco, California.

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