

1 THE GRAVES FIRM
2 ALLEN GRAVES (SB#204580)
E-mail: allen@gravesfirm.com
3 ADRIAN HERNANDEZ (SB#325532)
E-mail: adrian@gravesfirm.com
4 122 N. Baldwin Ave., Main Floor
5 Sierra Madre, CA 91024
6 Telephone: (626) 240-0575
Facsimile: (626) 737-7013

7 Attorneys for Plaintiff
8 Malachi Maynard

9
10 SUPERIOR COURT OF THE STATE OF CALIFORNIA
11 COUNTY OF ALAMEDA

12
13 Malachi Maynard, in his individual and
representative capacity,

14 Plaintiff,

15 v.

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17 TaskRabbit, Inc., IKEA North America
Services, LLC, IKEA US Retail LLC.
18 and DOES 1 through 10, inclusive,

19 Defendant.
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CASE NO.: 21CV003513

**NOTICE OF MOTION AND
MOTION FOR APPROVAL OF
INDIVIDUAL PAGA SETTLEMENT**

Date: June 11, 2024

Time: 10:00 AM

Dept: 23

Judge: Hon. Michael Markman

Reservation ID: 054023893728

1 Plaintiff Malachi Maynard (“Plaintiff”) and Defendants TaskRabbit, IKEA North
2 America Services, LLC, and IKEA US Retail LLC (“Defendants”) (collectively the
3 “Parties”) seek the Court’s approval of a confidential settlement agreement that, if
4 approved, would result in this Action being dismissed in its entirety, with prejudice as to
5 Plaintiff’s individual PAGA claims and without prejudice as to Plaintiff’s non-individual
6 PAGA claims in this action. The Parties by and through their counsel of record herein,
7 hereby stipulate and agree as follows with reference to the following facts:

8 Plaintiff filed his Labor Code Private Attorneys General Act (“PAGA”)
9 representative action Complaint on December 3, 2021 (“Complaint”). As alleged in the
10 Complaint, Plaintiff seeks penalties on behalf of himself and the State of California with
11 regard to alleged “aggrieved employees” against Defendant under California Labor Code
12 §2698, *et seq.* (“PAGA”) predicated on Defendant’s alleged violation of the Labor Code
13 and IWC Wage Orders.

14 On March 29, 2022, the Court stayed this action pending the outcome of an
15 evidentiary hearing in the related *Maynard v. TaskRabbit, Inc. et al.* Class Action matter,
16 Case No. RG21114858, as well as the United States Supreme Court’s decision in *Viking*
17 *River Cruises, Inc. v. Moriana*, 142 S. Ct. 1906 (2022) (“*Viking River*”).

18 On June 15, 2022, the Supreme Court issued a decision in *Viking River* with regard
19 to the enforcement of arbitration agreements requiring plaintiffs to arbitrate their
20 individual PAGA claims.

21 On July 17, 2023, the California Supreme Court issued its decision in *Adolph v.*
22 *Uber Technologies* which clarified aspects of the law and procedure concerning standing
23 to bring representative PAGA claims when an individual PAGA claim has been
24 compelled to arbitration. *Adolph v. Uber Technologies, Inc.*, (Cal., S274671, July 17,
25 2023) 2023 WL 4553702, at *9.

26 On August 23, 2023, the Court entered an order compelling arbitration of
27 Plaintiff’s claims in the RG21114858 Class Action matter.

1 On September 28, 2023, the Parties stipulated that: (1) Plaintiff would include his
2 individual PAGA claims in the arbitration ordered by this Court, and (2) the Court should
3 continue the stay of the remainder of this matter (i.e., Plaintiff's representative PAGA
4 claims) pending the outcome of the arbitration of Plaintiff's claims in the RG21114858
5 action and of his individual PAGA claims.

6 On October 3, 2023, the Court stayed the case in its entirety, pursuant to the
7 Parties' stipulation.

8 The Parties' settlement agreement is without prejudice to the rights of any
9 allegedly aggrieved employees and without prejudice to the rights of the State with regard
10 to any employee other than Plaintiff. The Parties stipulate and agree that no claims are
11 being settled on behalf of or with regard to any allegedly aggrieved employee other than
12 Plaintiff. No settlement amount will be paid on behalf of any allegedly aggrieved
13 employee other than Plaintiff, and no other alleged aggrieved employee's interests will be
14 impacted other than the interests of Plaintiff.

15 Should the Court grant this Motion, TaskRabbit will pay to Plaintiff a gross sum of
16 \$120,000.00 in full and final settlement of all individual claims Plaintiff has or may have
17 against TaskRabbit and/or IKEA in both this action and the related class action. It will
18 also release Plaintiff from any potential claims. No later than fourteen days after
19 receiving payment, Plaintiff will voluntarily dismiss with prejudice his individual PAGA
20 claims and voluntarily dismiss without prejudice his non-individual PAGA claims in this
21 action. In the related Class Action, if the Parties' settlement is approved in that action,
22 Plaintiff will simultaneously dismiss his individual claims with prejudice and dismiss his
23 class claims without prejudice.

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26 ALLEN GRAVES
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PROOF OF SERVICE

STATE OF CALIFORNIA)
) ss:
COUNTY OF LOS ANGELES)

I am employed in the County of Los Angeles, State of California. I am over the age of 18, and not a party to the within action. My business address is 122 N. Baldwin Avenue, Main Floor, Sierra Madre, California 91024.

On May 17, 2024, I served the following document(s) described as:

**NOTICE OF MOTION AND MOTION FOR
APPROVAL OF INDIVIDUAL PAGA SETTLEMENT**

on the interested parties by transmitting a true and correct copy thereof addressed as follows:

MORRISON & FOERSTER LLP

Daralyn J. Durie
Andrew L. Perito
Ramsey W. Fisher
425 Market Street
San Francisco, CA 94105
ddurie@mofo.com;
aperito@mofo.com;
ramseyfisher@mofo.com

MORRISON & FOERSTER LLP

David McGowan
12531 High Bluff Drive, Suite 100
San Diego, CA 92130
dmcgowan@mofo.com

MORRISON & FOERSTER LLP

Whitney O'Byrne
707 Wilshire Boulevard, Suite 6000
Los Angeles, CA 90017
wobyne@mofo.com

**Attorneys for Defendants TaskRabbit, Inc., IKEA North America Services, LLC,
and Ikea US Retail LLC**

☒ **VIA EMAIL:** I personally sent such document(s) via email to the known email address of the person(s) on whom it is to be served.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct and was executed on May 17, 2024, at Sierra Madre, California.

Adrian Hernandez

Type or Print Name

Signature



Superior Court of Alameda County Public Portal

Make a Reservation

MAYNARD vs TASKRABBIT, INC., et al.

Case Number: 21CV003513 Case Type: Civil Unlimited Category: Other Employment Complaint Case

Date Filed: 2021-12-03 Location: Rene C. Davidson Courthouse - Department 23

Reservation

Case Name:
MAYNARD vs TASKRABBIT, INC., et al.

Case Number:
21CV003513

Type:
Motion for Order (Approving Individual Settlement)

Status:
RESERVED

Filing Party:
Malachi Maynard (Plaintiff)

Location:
Rene C. Davidson Courthouse - Department 23

Date/Time:
06/11/2024 10:00 AM

Number of Motions:
1

Reservation ID:
054023893728

Confirmation Code:
CR-NGZZUMBWCUE9G6XVY

Fees

Description	Fee	Qty	Amount
Motion for Order (name extension)	0.00	1	0.00
Court Technology Fee	1.00	1	1.00
TOTAL			\$1.00

Payment

Amount:
\$1.00

Type:
Visa

Account Number:
XXXX3958

Authorization:
065837

Payment Date:
n/a

 Print Receipt

 Reserve Another Hearing

 View My Reservations