

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

RACHEL CULLINANE, JACQUELINE
NUNEZ, ELIZABETH SCHAUL, and
ROSS McDONAGH, *on behalf of
themselves and others similarly situated,*

Plaintiffs,

v.

UBER TECHNOLOGIES, INC.,

Defendant.

Case No. 1:14-cv-14750-DPW

Joint Motion for Extension of Settlement Agreement Payment Deadlines

For the reasons stated below, the Parties jointly move for a 46 day extension of the deadlines for making payments under the Settlement Agreement to April 17, 2020.

1. The Court approved the Settlement Agreement on January 29, 2020. ECF # 129. The Effective Date of the Settlement under the terms of the Agreement was January 30, 2010. ECF # 100-1, ¶ 1(n).

2. The date to issue payments to all Settlement Class Members, and pay attorneys' fees and service awards, is currently March 2, 2020. *See* ECF # 100-1, ¶¶ 6(a)(1) and 6(b)(all payments and credits are to be made within 30 days of the Effective Date).

3. The Settlement Agreement provides that Uber will provide mobile phone numbers associated with Inactive Accounts, and the Settlement Administrator will conduct reverse look-ups for such Class Members' addresses, using their phone

numbers and/or email addresses. ECF # 107-1.

4. The Settlement Administrator has reported that the reverse look-up it conducted has thus far resulted in approximately 9,000 Inactive Class Members with no current address. Its search is still ongoing.

5. The Parties have conferred and now request an extension of the deadlines to issue payments, and pay fees and awards, for an additional 46 days from March 2, 2020, to April 17, 2020, so that they can take further steps to locate addresses for these Inactive Accounts.

6. The Parties propose to take the following steps to seek additional addresses if the extension is granted:

a. The Settlement Administrator will email all Inactive Class Members whose addresses have not been found through the reverse look-up process thus far and ask those Class Members to submit their current address through an online link so that they can be issued a check.

b. The Settlement Administrator will perform additional reverse look-ups using an alternative vendor.

c. Uber will continue to attempt to match Inactive Account numbers with additional information from its archived database.

7. For those Class Members for whom an address is obtained through these efforts, checks will be mailed by the extended payment deadline.

8. For any remaining Inactive Class Members for whom a current address still cannot be located, the Parties will exclude those Members from the Settlement Class

in order to preserve their rights and claims.

9. The Parties also request approval to pay up to an additional \$7,000 from the Settlement Fund to the Settlement Administrator to undertake these additional steps to locate addresses for Inactive Accounts.

As such, the Parties request that the Court extend the deadlines for all payments under the Settlement Agreement by an additional 46 days, until April 17, 2020 and approve payment of up to an additional \$7,000 to the Settlement Administrator from the Settlement Fund.

Dated: February 14, 2020

Respectfully submitted,

/s/ Elizabeth Ryan

Elizabeth Ryan, BBO # 549632
John Roddy, BBO # 424240
Benjamin Lajoie, BBO # 693715
Bailey & Glasser LLP
99 High Street, Suite 304
Boston, MA 02110
(617) 439-6730
(617) 951-3954 (fax)
eryan@baileyglasser.com
jroddy@baileyglasser.com
blajoie@baileyglasser.com

Pedro Jaile, BBO # 631410
241 Perkins Street, G-102
Boston, MA 02130
(617) 561-3777

Attorneys for Plaintiffs

/s/ S. Elaine McChesney

S. Elaine McChesney, BBO # 329090
Emma Diamond Hall, BBO # 687947
Daniel J. Ball, BBO # 696458
Morgan, Lewis & Bockius LLP
One Federal Street
Boston, MA 02110
(617) 341-7700
(617) 951-8736 (fax)
elaine.mcchesney@morganlewis.com
emma.hall@morganlewis.com
daniel.ball@morganlewis.com

Attorneys for Defendant

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic File (NEF) on February 14, 2020.

/s/ Elizabeth Ryan
Elizabeth Ryan