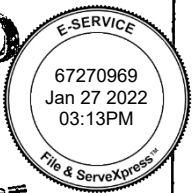


FILED
Superior Court of California
County of San Francisco



JAN 27 2022

CLERK OF THE COURT
BY: Clark Bennett
Deputy Clerk

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SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN FRANCISCO
DEPARTMENT 613

SUSAN WANG, individually and on behalf of
all others similarly situated,

Plaintiff,

v.

STUBHUB, INC.,

Defendant.

Case No. CGC-18-564120

ORDER GRANTING UNOPPOSED
MOTION FOR PRELIMINARY
APPROVAL OF CLASS ACTION
SETTLEMENT

Plaintiffs and Defendant have entered into a Settlement Agreement and Release (“Settlement Agreement”)¹ attached as Exhibit 1 to the Declaration of Annick M. Persinger in Support of Unopposed Motion for Preliminary Approval (July 14, 2021), which if approved, would resolve the class action. Plaintiffs have filed a motion for preliminary approval of class settlement. Upon review and consideration of the motion papers and supplemental documents submitted by the parties as requested by the Court, including the Settlement Agreement and all exhibits thereto, the Court determines and orders as follows:

1. The Court has jurisdiction over this matter and venue is proper.
2. This action is provisionally certified as a class action, for settlement purposes only, pursuant to California Code of Civil Procedure section 382 and California Rule of Court 3.763. The

¹ This Order hereby incorporates by reference the definitions of the Settlement Agreement as set forth herein, and all terms used herein shall have the same meaning as set forth in the Settlement.

1 Settlement Class is defined as follows:

2 All persons, who, during the Class Period of September 1, 2015 to September 1, 2019, (1)
3 while in California, (2) purchased at least one ticket from StubHub, (3) using the Stubhub
4 website or mobile website.

5 3. The Court conditionally approves the proposed settlement as within the range of possible
6 final approval.

7 4. The Court confirms Annick M. Persinger and Hassan A. Zavareei of Tycko & Zavareei LLP
8 as Class Counsel for the Settlement Class.

9 5. The Court confirms named plaintiffs Susan Wang and Rene' Lee as Class Representatives
10 for the Settlement Class.

11 6. The Court approves Angeion Group as the Settlement Administrator and directs Angeion
12 Group to carry out all duties and responsibilities of the Settlement Administrator specified in the Settlement
13 Agreement.

14 7. Pursuant to California Rules of Court rule 3.769(f), the Court approves the manner of class
15 notice set forth in the Settlement Agreement. The Court approves the form and content of the following
16 notice documents: (1) Email Notice (attached hereto as **Exhibit A**); (2) Postcard Notice (attached hereto
17 as **Exhibit B**); (2) Detailed Notice (attached hereto as **Exhibit C**); (3) Claim Form (attached hereto as
18 **Exhibit D**); and (4) Opt-Out Form (attached hereto as **Exhibit E**). The Court finds that the notice procedure
19 as laid out in the Settlement Agreement constitutes the best notice practicable under the circumstances and
20 is valid, due and sufficient notice to the Settlement Class of the pendency of the action, preliminary
21 certification of the Settlement Class, the terms of the Settlement, procedures for objecting to and requesting
22 exclusion from the settlement, and the time and place of the Final Approval Hearing. The proposed manner
23 of class notice satisfies the requirements of due process, and complies with applicable law, including
24 California Code of Civil Procedure Section 382 and California Rule of Court 3.769. Class Counsel shall
25 proofread the Email Notice, Postcard Notice, and Detailed Notice for typos and fill in all blanks, including
26 all highlighted dates, addresses and/or websites prior to sending them or posting them on the Settlement
27 Website.

28 8. No later than **February 10, 2022 (fourteen (14) calendar days after entry of this Order)**,
Defendant's counsel shall provide the Settlement Administrator with a Class List in an electronic format.

1 9. No later than **February 26, 2022 (thirty (30) calendar days after the entry of this**
2 **Order)**, the Settlement Administrator shall send the Email Notice to all Class Member for whom
3 Defendant has provided the Settlement Administrator with an email address. It will be conclusively
4 presumed that the intended recipients received the Email Notice if the Settlement Administrator
5 does not receive a hard-bounce-back message.

6 10. No later than **March 13, 2022 (forty-five (45) calendar days from the entry of this**
7 **Order)**, the Settlement Administrator shall send the Postcard Notice by mail to all Class Members
8 for whom Defendant did not provide an email address and to all Class Members to whom the
9 Settlement Administrator sent the Email Notice and received an uncured hard-bounce-back
10 message.

11 11. No later than **February 11, 2022 (fifteen (15) calendar days from the entry of this**
12 **Order)**, the Settlement Administrator shall establish the Settlement Website and post the Detailed
13 Notice, the Settlement Agreement, Preliminary Approval Order, and the information stated in
14 Section 4.3 of the Settlement Agreement.

15 12. The deadline by which the Settlement Class must object or request to be excluded
16 shall be **one hundred and ten (110) calendar days** after the entry of this Order, or **May 17, 2022**.
17 Objections or Requests for Exclusion must be postmarked to the Settlement Administrator by this
18 date. All objection, request for exclusion, and dispute procedures are set forth in the Settlement
19 Agreement and Notice and are summarized below.

20 13. If a Class Member submits both a Claim Form and an exclusion request, the Claim Form
21 shall take precedence and be considered valid and binding, and the exclusion request shall be deemed to
22 have been sent by mistake and rejected.

23 14. **Request for Exclusion Requirements:** In the event a Class Member wishes to be
24 excluded from the Settlement and not be bound by this Settlement Agreement, that person must, prior to
25 the Response Deadline, complete the Opt-Out Form online or sign and mail a notice of intention to opt-
26 out of the Settlement to the Settlement Administrator. Class Members who wish to be excluded and would
27 like to complete an Opt-Out Form may submit the Form online or may print and complete the form and
28 submit it through the mail to the Settlement Administrator, consistent with the instructions located

1 therein. Any Opt-Out Forms must be submitted online or postmarked (if sent by mail) on or before the
2 Response Deadline. Any notice of intention to opt-out submitted in lieu of a completed Opt-Out Form
3 must: (a) be postmarked on or before the Response Deadline; (b) include the Class Member's name,
4 address, and telephone number; (c) be personally signed and dated by the Class Member; and (d) contain
5 a clear request that the individual would like to "opt out" or be excluded by use of those or other words
6 clearly indicating a desire not to participate in the Settlement. Any Class Member who timely and
7 properly requests exclusion in compliance with these requirements will not be entitled to receive payment
8 from the Settlement Amount and will not be bound by this Settlement Agreement or the Final Approval
9 Order and Judgment.

10 15. **Objection Requirements:** Any Class Member who has not submitted a timely request for
11 exclusion and who wishes to object to the fairness, reasonableness, or adequacy of the Settlement must
12 sign and mail a letter to the Settlement Administrator, stating their intention to object to the Settlement.
13 For a written objection to be considered, the written objection must: (a) be postmarked on or before the
14 Response Deadline; (b) include the objecting Class Member's name, address, and telephone number; (c)
15 be personally signed and dated by the objecting Class Member; and (d) state each objection and the
16 specific legal and factual bases for each.

17 16. Class Members will have **one hundred and eighty (180) calendar days** from the date of
18 issuance of their settlement checks to negotiate their check. After 180 days, checks that have not been
19 cashed shall be void. Any unused funds resulting from voided checks shall return to Defendant by the
20 Settlement Administrator within thirty (30) days following the expiration of the last uncashed check that
21 issued.

22 17. All papers filed in support of plaintiffs' motion for attorneys' fees and costs and a service
23 award shall be filed by **May 3, 2022**. This date is at least fourteen (14) days prior to the deadline for
24 submitting objections. Class Counsel shall file their motion for final approval of the Class Action
25 Settlement and entry of a Final Approval Order and Judgment no later than **June 8, 2022 (16 court days**
26 **before the Final Approval hearing).**

27 18. A final approval hearing shall be held on **June 30, 2022, at 2:00 p.m.** in Department 613,
28 San Francisco Superior Court, 400 McAllister Street, San Francisco, CA 94102, at which the Court will

1 determine whether the settlement should be finally approved as fair, reasonable and adequate to the
2 Settlement Class; whether the Final Approval Order and Judgment should be entered; whether Class
3 Counsel's Application for Attorneys' Fees and Costs should be approved; and whether any request for a
4 service award should be approved.

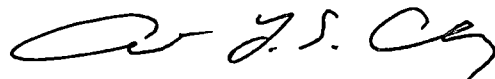
5 19. The Court reserves the right to modify the date of the Final Approval Hearing and related
6 deadlines set forth herein. The Final Approval Hearing may be postponed, adjourned or continued by
7 Order of the Court without further notice to the Class Members.

8 20. If for any reason the Court does not approve the Settlement, it will be of no force or effect,
9 and the Parties shall be returned to their original respective positions.

10 21. Pending the final determination of whether the settlement should be approved, all
11 proceedings in this Action, except as may be necessary to implement the settlement or comply with the
12 terms of the settlement, are hereby stayed.

13
14 IT IS SO ORDERED.

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16 Dated: January 27, 2022



17 ANDREW Y.S. CHENG
18 Judge of the Superior Court
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