

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

GUTRIDE SAFIER LLP

SETH A. SAFIER (State Bar No. 197427)
MARIE A. MCCRARY (State Bar No. 262670)
HAYLEY REYNOLDS (State Bar No. 306427)
100 Pine Street, Suite 1250
San Francisco, CA 94111
Telephone: (415) 639-9090
Facsimile: (415) 449-6469
seth@gutridesafier.com

MATTHEW T. MCCRARY (appearing *pro hac vice*)
KALI R. BACKER (appearing *pro hac vice*)
4450 Arapahoe Ave., Suite 100
Boulder, CO 80303
Telephone: (415) 639-9090
kali@gutridesafier.com

Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

LISA CHONG and ZACK SCHWARTZ, as
individuals, on behalf of themselves, the
general public and those similarly situated,

CASE NO. 3:2021-cv-04528

PLAINTIFFS' NOTICE OF APPEAL

Plaintiffs,

Hon. Richard Seeborg

vs.

KIND LLC,

Defendant.

1 TO DEFENDANT AND THEIR ATTORNEYS OF RECORD:

2 Notice is hereby given that, pursuant to 28 U.S.C. § 1291 and 28 U.S.C. § 2107(a),
3 Plaintiffs Lisa Chong and Zack Schwartz appeal to the United States Court of Appeals for the
4 Ninth Circuit from both (a) this Court’s order (Dkt. No. 41), filed February 15, 2022, and (b) this
5 Court’s final judgment dismissing the action (Dkt. No. 42), also filed February 15, 2022.

6 In accordance with the Federal Rule of Appellate Procedure 12(b) and the Ninth Circuit
7 Rule 3-2(b), a Representation Statement is attached as Exhibit A.

8 Dated: March 10, 2022

Respectfully submitted,

GUTRIDE SAFIER LLP

/s/Seth A. Safier

Seth A. Safier, Esq.
Marie A. McCrary, Esq.
Hayley Reynolds, Esq.
100 Pine Street, Suite 1250
San Francisco, California 94111
Telephone: (415) 639-9090
Facsimile: (415) 449-6469

Matthew T. McCrary (*pro hac vice*)
Kali R. Backer, Esq. (*pro hac vice*)
4450 Arapahoe Ave., Suite 100
Boulder, CO 80303
Telephone: (415) 639-9090
kali@gutridesafier.com

Attorneys for Plaintiffs

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

EXHIBIT A

1 Dated: March 10, 2022

Respectfully submitted,

2 **GUTRIDE SAFIER LLP**

3 /s/Seth A. Safier

4
5 Seth A. Safier, Esq.
6 Marie A. McCrary, Esq.
7 Hayley Reynolds, Esq.
8 100 Pine Street, Suite 1250
9 San Francisco, California 94111
10 Telephone: (415) 639-9090
11 Facsimile: (415) 449-6469
12 seth@gutridesafier.com
13 marie@gutridesafier.com
14 hayley@gutridesafier.com

15
16 Matthew T. McCrary (*pro hac vice*)
17 Kali R. Backer, Esq. (*pro hac vice*)
18 4450 Arapahoe Ave., Suite 100
19 Boulder, CO 80303
20 Telephone: (415) 639-9090
21 matt@gutridesafier.com
22 kali@gutridesafier.com

23
24 *Attorneys for Plaintiffs*