



FILE
Superior Court of California
County of San Francisco

AUG 5 - 2022

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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 PLAINTIFFS'
MOTION FOR FINAL APPROVAL**

Plaintiffs Susan Wang and Rene' Lee and Defendant have entered into a settlement subject to this Court's approval. The terms of the settlement, including releases of claims, are set forth in "Settlement Agreement and Release" (attached as Exhibit 1 to Declaration of Annick M. Persinger in Support of Plaintiff's Unopposed Motion for Final Approval of Class Action Settlement (June 8, 2022) ("Settlement Agreement")¹, attached hereto as **Exhibit A**.

Plaintiffs moved for final approval of the settlement, which was previously set for hearing on June 30, 2022.

On June 28, 2022, the Court issued a tentative ruling on the (1) Unopposed Motion for Final Approval of Class Action Settlement and (2) Unopposed Motion for Approval of Attorneys' Fees, Costs,

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

1 and Service Awards (“Motions”). In the tentative ruling, the Court outlined its concerns regarding the
2 Motions, and continued the Motions for further briefing. The supplemental briefing deadline was July 28,
3 2022. On July 28, 2022, Plaintiffs timely submitted supplemental briefing.

4 Having considered the papers filed in support of Plaintiffs’ motion for final approval, and for good
5 cause appearing, the Court finds and orders as follows:

6 1. The Court approves the settlement as fair, reasonable, and adequate. The Settlement shall
7 be consummated in accordance with the terms and provisions of the Settlement Agreement. The Court
8 thoroughly considered and overrules the two objections submitted by Class Members. (Decl. of Lacey
9 Rose Regarding Notice and Administration (June 8, 2022), ¶ 26, Ex. F; Persinger Decl., ¶ 3, Ex. 2.) The
10 first objector did not address why the settlement should not be approved and the objection does not
11 benefit the class as it would not give the class any more benefit than what it is already receiving.
12 Additionally, the objection about attorneys’ fees does not provide any guidance about how the fees should
13 be adjusted. The second objector asserts that the Civil Code § 1542 release is overbroad and that there are
14 intra-party conflicts which require the formation of subclasses. The Court examined these issues and
15 determines that there are not any issues with the Civil Code § 1542 release and no intra-party conflicts
16 exist.

17 2. The Court certifies, for settlement purposes only, a Settlement Class consisting of: “all
18 persons who, during the Class Period, (1) while in California, (2) purchased at least one ticket from
19 StubHub, (3) using the StubHub website or mobile website. Excluded from the Class are the Judge
20 presiding over this Action and members of the Court’s staff; StubHub, including StubHub’s subsidiaries,
21 parent companies, successors, predecessors, and any entity in which StubHub or its parents have a
22 controlling interest and their current or former officers, directors, and employees; and Defense Counsel.”

23 3. For the reasons set forth in the Court’s order granting preliminary approval, the Court finds
24 that the applicable requirements of California Code of Civil Procedure section 382 and California Rule of
25 Court 3.769 have been satisfied for the purposes of this settlement in that common questions of law and
26 fact predominate, the Settlement Class is so numerous that a class action is superior to other available
27 means for the fair and efficient adjudication of the controversy, plaintiffs’ claims are typical of those in
28 the Settlement Class, and plaintiffs have fairly and adequately represented and protected the interests of

1 the Settlement Class.

2 4. The Court appoints plaintiffs Susan Wang and Rene' Lee as the Class Representatives of
3 the Settlement Class.

4 5. The Court appoints Annick M. Persinger and Hassan A. Zavareei of Tycko & Zavareei
5 LLP as Class Counsel.

6 6. The manner and form of the notice as previously approved and ordered by the Court in its
7 Order granting preliminary approval was reasonably calculated to fully and accurately inform members of
8 the Settlement Class of all material elements of the settlement and of their opportunity to object or
9 comment thereon or to exclude themselves from the Settlement Class, was the best notice practicable
10 under the circumstances, was valid, due, and sufficient notice to all members of the Settlement Class and
11 complied fully with California law and due process.

12 7. The manner of providing notice substantially complied with the Court's Order granting
13 preliminary approval.

14 8. The Court finds that the costs of the administration of the Settlement are reasonable. The
15 Court approves and orders payment to Angeion Group in the amount of \$339,795.65.

16 9. Angeion Group shall disperse all amounts in accordance with the terms of the Settlement
17 Agreement and the Order Granting Motion for Approval of Attorneys' Fees, Costs, and Service Awards,
18 filed concurrently herewith.

19 10. All Released Parties are released in accordance with the Settlement Agreement.

20 11. Upon the Effective Date, the Class Representative and each Settlement Class Member who
21 did not submit a valid request for exclusion shall be deemed to have, and by operation of this Order shall
22 have, finally and forever released all Released Claims against the Released Parties, whether or not such
23 Settlement Class Member shares in the Settlement Amount, and whether or not such Settlement Class
24 Member objected to the Settlement.

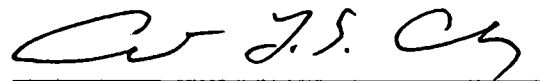
25 12. The Court sets a Compliance Hearing for **February 7, 2023, at 2:00 p.m.** in Department
26 613 of this Court. At least **one week** prior to the hearing, Class Counsel and Angeion Group shall submit
27 a summary accounting, identifying distributions made as ordered herein, the number and value of any
28 uncashed settlement checks, the status of any unresolved issues, if any, and any other matters appropriate

1 to bring to the Court's attention.

2 13. Without affecting the finality of this Order in any way, this Court retains continuing
3 jurisdiction over: (a) implementation of this Settlement and any award or distribution of the Gross
4 Settlement Amount, including interest earned thereon; (b) disposition of the Gross Settlement Amount;
5 (c) hearing and determining applications for attorneys' fees, interest and expenses in the Action; and
6 (d) all Parties hereto for the purpose of construing, enforcing, and administering the Settlement
7 Agreement.

8
9 IT IS SO ORDERED.

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11 Dated: August 5, 2022



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13 ANDREW Y.S. CHENG
14 Judge of the Superior Court