

**CALIFORNIA COURT OF APPEAL
FIRST APPELLATE DISTRICT
DIVISION FOUR**

PEOPLE OF THE STATE OF CALIFORNIA,
Plaintiff and Respondent,
v.
LYFT, INC. et al.,
Defendants and Appellants.
A160701

PEOPLE OF THE STATE OF CALIFORNIA,
Plaintiff and Respondent,
v.
UBER TECHNOLOGIES, INC. et al.,
Defendants and Appellants.
A160706

San Francisco
Sup. Ct. No. CGC20584402

THE COURT:

On August 10, 2020, the trial court issued a preliminary injunction enjoining Lyft, Inc. (Lyft) and Uber Technologies, Inc. (Uber) from classifying their drivers as independent contractors and from violating certain laws. Both Lyft and Uber have appealed the order, and the trial court stayed the injunction for ten days to allow them to seek relief in this court. Lyft (in case No. A160701) and Uber (in case No. A160706) have each petitioned this court for a writ of supersedeas. The People have filed an opposition to the petitions. The petitions for writ of supersedeas are hereby consolidated for purposes of decision.

The petitions are granted and the preliminary injunction is stayed pending resolution of Lyft and Uber's appeals, subject to the condition that, by 5:00 p.m. on August 25, 2020, Lyft and Uber shall both file written consents to the expedited procedures specified herein. If Lyft and Uber do not both file such written

consents, the stay shall expire at 5:00 p.m. on August 25, 2020. The procedures are as follows:

1. Lyft's and Uber's appeals shall be consolidated. Lyft and Uber may file separate briefs or combined briefs as they prefer.
2. Lyft and Uber shall proceed with an appendix in lieu of a clerk's transcript on appeal. (Cal. Rules of Court, rule 8.124.) They shall cooperate to prepare and file a single combined appellants' appendix, rather than separate appendices, which they shall file no later than the date they file their opening briefs. The appendix shall include a full copy of the index at the beginning of each appendix volume, and the digital copy of the appendix shall include pdf bookmark tabs for each entry on the index.
3. Briefing shall proceed on the following schedule. The appellants' opening briefs shall be filed no later than September 4, 2020. The respondent's brief shall be filed no later than September 18, 2020. The reply briefs, if any, shall be filed no later than September 25, 2020. Absent unforeseen extraordinary circumstances, there shall be no extensions. Oral argument shall be scheduled for October 13, 2020.
4. On or before September 4, 2020, each defendant shall submit a sworn statement from its chief executive officer confirming that it has developed implementation plans under which, if this court affirms the preliminary injunction and Proposition 22 on the November 2020 ballot fails to pass, the company will be prepared to comply with the preliminary injunction within no more than 30 days after issuance of the remittitur in the appeal.
5. Should Lyft or Uber fail to comply with these procedures, the People may apply to this court to vacate this stay.

Unless otherwise ordered, the stay will dissolve upon issuance of the remittitur in the appeal. (Cal. Rules of Court, rule 8.272.)

Date: 08/20/2020

Pollak, P.J.
PRESIDING JUSTICE

P.J.