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Attorneys for Plaintiffs and the Settlement Class

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES – SPRING STREET COURTHOUSE**

CHARLES WANG, MARILEE
BOGAERT, ROBERT ALLAN PERKINS,
JR., CARISSA RECCO, CHRISTINE BAK,
DENISE SZNITKO, and JESSE STOUT, on
behalf of themselves and all others similarly
situated,

Plaintiffs,

v.

GRUBHUB, INC., and DOES 1-50,
inclusive,

Defendant.

Case No. 23STCV24118
Assigned to: Hon. Timothy Patrick Dillon
Dept. 15

**SUPPLEMENTAL MEMORANDUM OF
POINTS AND AUTHORITIES IN
SUPPORT OF PLAINTIFFS' MOTION FOR
FINAL APPROVAL OF CLASS ACTION
SETTLEMENT**

**[Notice of Motion; Admin Declaration;
[Proposed] Order filed concurrently
herewith]**

Hearing Date: August 10, 2026
Time: 10:00 a.m.
Department: 15

Complaint Filed: October 10, 2024
Trial Date: None

1 **I. INTRODUCTION**

2 On May 11, 2026, the Court issued an Amended Preliminary Approval Order requiring the
3 Parties to issue additional notice (“Additional Notice”) to certain Settlement Class Members.
4 Specifically, in the process of preparing for the hearing on Plaintiffs’ Motion for Final Approval,
5 the Parties learned that approximately 2.8 million Settlement Class Members were not included on
6 the initial class list because a file of older diner data was inadvertently overlooked. As described in
7 the attached Supplemental Settlement Administrator Declaration, filed concurrently herewith, that
8 Additional Notice has been completed successfully.

9 In light of the excellent results achieved for the Settlement Class, and for the reasons
10 previously stated in Plaintiffs’ Memorandum in Support of Final Approval of Class Action
11 Settlement, Plaintiffs again now respectfully request that the Court grant final approval of the
12 Settlement, finding it to be fair, adequate, and reasonable; affirm certification of the Settlement
13 Class for settlement purposes only; overrule the 15 objections to the Settlement; and enter the
14 proposed Final Approval Order and Judgment.

15 **II. ADDITIONAL NOTICE WAS SUCCESSFULLY DELIVERED**

16 More specifically, 2.25 million additional notices were successfully delivered, meaning that
17 84% of the notices were successfully delivered to the additional group. Notice Decl., Para. 16. This
18 successful notice delivery resulted in an additional 31,000 valid claims submitted to date, for a
19 current total of 104,026 valid claims. *Id.*, 20. The Parties expect those numbers to increase prior to
20 the August 7, 2026, claims deadline.

21 In addition, six new Settlement Class Member opt-outs were received, for a total of 17 opt-
22 outs. Para. 23. Two new objections were submitted from Settlement Class Members. As discussed
23 in more detail below, the objections raise similar concerns to those earlier submitted. The opt-out
24 and objection deadline has now passed.

25 **III. RESPONSES TO THE TWO ADDITIONAL OBJECTIONS**

26 After providing the Additional Notice to the Settlement Class, and after giving those
27 additional Class Members sufficient opportunity to review the Court’s file and all the components
28

1 of the Agreement, only two additional Class Members have objected to the fairness of the
2 Settlement. *Id.*, 21. These objections are meritless and should be overruled accordingly, as discussed
3 below.

4 **PLANTE AND AMBLER OBJECTIONS**

5 The two additional objections are similar in nature. Objector Plante states that “[a] \$10 gift
6 card in this economy is not enough to purchase a Big Mac Meal.” Similarly, Objector Ambler
7 complains regarding the amount of the voucher, stating that “any usage of the credit will cost the
8 consumer more than \$10.” Ex. C. That’s incorrect. The \$10 voucher does not require additional
9 money to be spent, unless the consumer chooses to purchase items in excess of that amount. *See*
10 Agreement, ¶ II.X.

11 But as discussed in Plaintiff’s Motion for Final Approval, objections that wish the proposed
12 Settlement offered more valuable relief. As discussed below, this is not a colorable basis to object
13 to an arms-length, non-collusive settlement supervised by a well-respected mediator and in a case
14 with significant legal risks. Further, each and every objection totally ignores the primary, substantial
15 and important prospective relief won by this Settlement, which will benefit all Class Members and
16 the public in general.

17 In any event, the \$10 Voucher offers a meaningful benefit to Settlement Class Members, all
18 of whom are prior users of Grubhub’s delivery service.

19 **IV. CONCLUSION**

20 In light of the above, the Settlement reached in this consumer class action is exceptionally
21 beneficial to the Settlement Class and will efficiently resolve what would otherwise be protracted
22 and uncertain litigation. Thus, Plaintiffs respectfully request that the Court grant final approval of
23 the Settlement, affirm certification of the Settlement Class, and overrule all objections.

24 Dated: June 24, 2026

KALIELGOLD PLLC

25 
26 By: _____

27 Jeffrey D. Kalien
28 Sophia G. Gold

Attorneys for Plaintiffs and the Settlement Class

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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the District of Columbia. I am over the age of 18 and not a party to the within action. My business address is 1100 15th Street NW, 4th Floor, Washington, DC 20005.

On **June 24, 2026**, I served the document(s) described as:

**PLAINTIFFS’ SUPPLEMENTAL MEMORANDUM OF POINTS AND
AUTHORITIES IN SUPPORT OF FINAL APPROVAL OF CLASS ACTION
SETTLEMENT**

on the interested parties in this action by sending ☐ the original ☐ a true copy thereof ☒ to interested parties as follows ☐ as stated on the attached service list:

[X] BY NOTICE OF ELECTRONIC FILING: I electronically served the document(s) with the by using the CaseAnywhere system. Participants in the case who are registered CaseAnywhere users will be served by the CaseAnywhere system. Participants in the case who are not registered CaseAnywhere users will be served by mail or by other means permitted by the court rules.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this **June 24, 2026**, at Los Angeles, California.

NEVA R. GARCIA
Type or Print Name



Signature