

1 **STATE OF CALIFORNIA**  
2 Department of Industrial Relations  
3 Division of Labor Standards Enforcement  
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**FILED**  
Superior Court of California  
County of San Francisco

NOV 26 2019

CLERK OF THE COURT

BY: *Alan Kone*  
Deputy Clerk

6 Attorney for Julie Su, Labor Commissioner, State of California  
7 Department of Industrial Relations, Division of Labor Standards  
8 Enforcement

8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

9 **CITY AND COUNTY OF SAN FRANCISCO**

10  
11 UBER TECHNOLOGIES, INC.,

12 Petitioner,

13 v.

14 SANGAM PATEL; JULIE SU, LABOR  
15 COMMISSIONER, STATE OF  
16 CALIFORNIA DEPARTMENT OF  
17 INDUSTRIAL RELATIONS, DIVISION  
18 OF LABOR STANDARDS  
19 ENFORCEMENT,

20 Respondents.

CASE NO. CPF-17-515894

*(ba)*  
**[PROPOSED] ORDER GRANTING THE  
LABOR COMMISSIONER'S REQUEST  
FOR DISCOVERY**


Date: November 26, 2019  
Time: 9:30 AM  
Dept.: 302

1           Petitioner Uber Technology Inc.'s Petition to Compel Arbitration and to Stay DLSE  
2 Proceedings in the above-entitled action came on regularly for hearing before the Honorable Richard  
3 B. Ulmer on November 26, 2019. Having reviewed the papers and evidence submitted, the court  
4 finds and orders as follows:

5           The Federal Arbitration Act does not apply to "contracts of workers...engaged in foreign or  
6 interstate commerce." (9 U.S.C. § 1.) Respondent Labor Commissioner Julie Su requests "limited  
7 discovery to develop facts relevant to the extent to which Uber drivers engage in interstate  
8 commerce." (See *Singh v. Uber Technologies, Inc.* (3rd Cir. 2019) 939 F.3d 210; *Sienkaniec v. Uber*  
9 *Technologies, Inc.* (D. Minn. 2019) No. 17-CV-4489 (PSJ/HB) 2019 WL 4308555, at \*1.)  
10 Commissioner Su's request is granted and Uber Technologies, Inc.'s petition to compel arbitration is  
11 ordered off calendar. The limited-discovery period shall end on March 20, 2020. Uber may then re-  
12 calendar its petition for hearing. The parties may request supplemental briefing at that time. The  
13 proceedings are otherwise stayed until further order of this court.

14           IT IS SO ORDERED.

15  
16 DATED: 11/26/19

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19 RICHARD B. ULMER  
20 JUDGE OF THE SUPERIOR COURT  
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