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11 Attorneys for Defendant  
12 UBER TECHNOLOGIES, INC.

13 UNITED STATES DISTRICT COURT  
14 NORTHERN DISTRICT OF CALIFORNIA

15  
16 DOUGLAS O'CONNOR, THOMAS  
COLOPY, MATTHEW MANAHAN, and  
17 ELIE GURFINKEL, individually and on  
behalf of all others similarly situated,

18 Plaintiffs,

19 v.

20 UBER TECHNOLOGIES, INC.,

21 Defendant.  
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Case No. CV 13-03826-EMC

**DEFENDANT UBER TECHNOLOGIES,  
INC.'S NOTICE OF APPEAL TO THE  
UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT**

1 **TO PLAINTIFFS AND THEIR ATTORNEYS OF RECORD:**

2 **NOTICE IS HEREBY GIVEN** that Defendant Uber Technologies, Inc. hereby appeals to  
3 the United States Court of Appeals for the Ninth Circuit, under 9 U.S.C. § 16, from the Order  
4 Granting in Part and Denying in Part Plaintiffs' Supplemental Motion for Class Certification (ECF  
5 No. 395), dated December 9, 2015, in which the Court held that Uber's 2014 and 2015 arbitration  
6 agreements "as a whole [are] unenforceable." (See ECF No. 395 at 24.)

7 This appeal is related to: (1) a concurrently-filed notice of appeal from an Order Denying  
8 Defendants' Motion to Compel Arbitration (ECF No. 142), entered in *Yucesoy v. Uber Technologies,*  
9 *Inc.*, No. 15-cv-00262-EMC (N.D. Cal. Dec. 9, 2015); and (2) currently pending appeals in the  
10 United States Court of Appeals for the Ninth Circuit in *Mohamed v. Uber Technologies, Inc.*, Nos.  
11 15-16178+, and *O'Connor v. Uber Technologies, Inc.*, No. 14-6078.

12  
13 Dated: December 9, 2015

14 GIBSON, DUNN & CRUTCHER LLP

15  
16 By: /s/ Theodore J. Boutrous Jr.  
17 Theodore J. Boutrous Jr.

18 Attorneys for Defendants UBER TECHNOLOGIES,  
19 INC.

20 I hereby attest that I have on file all holographic signatures corresponding to any signatures indicated  
21 by a conformed signature (/s/) within this e-filed document.

22  
23 By: /s/ Kevin J. Ring-Dowell  
24 Kevin J. Ring-Dowell