ABTL Arbitration Panel

*Abernathy v. Doordash, Inc.* C-19-07545-WHA and *Boyd v. Doordash,* C-19-07646-WHA. Docket 177, February 10, 2020:

For decades, the employer-side bar and their employer clients have forced arbitration clauses upon workers, thus taking away their right to go to court, and forced class-action waivers upon them too, thus taking away their ability to join collectively to vindicate common rights. The employer-side bar has succeeded in the United States Supreme Court to sustain such provisions. The irony, in this case, is that the workers wish to enforce the very provisions forced on them by seeking, even if by the thousands, individual arbitrations, the remnant of Case 3:19-cv-07545-WHA Document 177 Filed 02/10/20 Page 7 of 8 8 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 United States District Court Northern District of California procedural rights left to them. The employer here, DoorDash, faced with having to actually honor its side of the bargain, now blanches at the cost of the filing fees it agreed to pay in the arbitration clause. No doubt, DoorDash never expected that so many would actually seek arbitration. Instead, in irony upon irony, DoorDash now wishes to resort to a class-wide lawsuit, the very device it denied to the workers, to avoid its duty to arbitrate. This hypocrisy will not be blessed, at least by this order.

*Aixtron, Inc. v. Veeco Instruments, Inc*., (6th Dist. July 16, 2020) 52 Cal. App. 5th 360.

*Brown v. TGS Management Co*., LLC, (4th Dist. Oct. 13, 2020) 57 Cal. App. 5th 303.

*California Union Square L.P. v. Saks & Company LLC*, (1st Dist. June 11, 2020) 50 Cal. App. 5th 340.

*DiCarlo v. Moneylion*, 988 F.3d 1148 (9th Cir. 2021).

*GE Energy Power Conversion France SAS v. Outokumpu Stainless USA, LLC*, (June 1, 2020) 140 Sup. Ct. 1637.

*In re Grice*, (9th Cir. Sept. 8, 2020) 974 F.3d 950.

*Malek Medical Group LLC v. AXQG Corp*., (2nd Dist. Dec. 16, 2020) 58 Cal. App. 5th

817.

*Moritz v. Universal City Studios, LLC*, (2nd Dist. Sept. 9, 2020) 54 Cal.

App. 5th 238.

*Oakland-Alameda County Coliseum Authority v. Golden State Warriors, LLC*, (1st Dist. Aug. 18. 2020) 53 Cal. App. 5th 807.

*Rittmann v. Amazon Com, Inc*., (9th Cir. Aug. 19, 2020) 971 F.3d 904.

*Rockefeller Technology Investments (Asia) VII v. Changzhou Sino Type Technology Co., Ltd*., (April 2, 2020) 9 Cal. 5th 125.

*VVA-Two, LLC v. Impact Development Group, LLC*, (2nd Dist. May 12, 2020) 49 Cal.

5th 985.

*Henry* *Schein, Inc. v. Archer & White Sales, Inc.,* 139 S.Ct. 524 (2019)*.*