



FILED
San Francisco County Superior Court

FEB 22 2019

CLERK OF THE COURT

BY: [Signature]
Deputy Clerk

SUPERIOR COURT OF CALIFORNIA

COUNTY OF SAN FRANCISCO

DEPARTMENT 304

JOHN DOE, DAVID GUDEMAN, and PAOLA
CORREA on behalf of the State of California and
aggrieved employees,

Plaintiffs,

v.

GOOGLE, INC., ALPHABET, INC., ADECCO
USA, INC., ADECCO GROUP NORTH
AMERICA, and ROES 1 through 10,

Defendants.

Case No. CGC-16-556034

JUDGMENT

On February 4, 2019, the Court issued an order regarding Google, Inc.'s and Alphabet, Inc.'s (collectively "Google") motion for entry of judgment filed on January 7, 2019. The Court stated, in relevant part, that "[j]udgment will be entered on February 22, 2019. This Court is vested with the discretion to enter a separate judgment as to all claims against Google because 'all issues between [Google] and the plaintiff[s] have been adjudicated.' (*Oakland Raiders v. National Football League* (2001) 93 Cal.App.4th 572, 576-578; see also *Heritage Marketing & Insurance Services, Inc. v. Chrustawka* (2008) 160 Cal. App.4th 754, 764; Motion, 6-8 [collecting cases].) Despite having all causes of action against it resolved, Google has been subject to significant catalyst fee discovery for

1 approximately a year and a half. Catalyst fee discovery is now closed. Entering judgment will force
2 Plaintiffs to file their catalyst fees and costs motion promptly. While the Court agrees that Google should
3 be rid of this litigation expeditiously, there are three factors that prevent the Court from entering judgment
4 now, namely: (1) the unique posture of this case; (2) plaintiffs' impending motion practice; and (3) the
5 potential loss of jurisdiction over most matters if the Court enters judgment. For these reasons, a
6 comprehensive order entering judgment will be filed on February 22, 2019. At the hearing, Plaintiffs and
7 Google submitted to the Court entering judgment on February 22, 2019." (Order (1) Continuing Entry of
8 Judgment to February 22, 2019; (2) Denying the Motion to Dismiss All Claims with Prejudice as Moot;
9 and (3) to Set Other Dates, at pp. 1-2. (Feb. 4, 2019).)

10 Here, the parties do not dispute that all causes of action have been resolved against both Google
11 and Adecco USA, Inc. and Adecco Group North America (collectively "Adecco"). Indeed, on June 27,
12 2017, the Court sustained Google's demurrer to plaintiffs' third amended complaint *without* leave to
13 amend as to seventeen of the eighteen causes of action on the ground that they were preempted by the
14 National Labor Relations Act. (See Order Sustaining in Part and Overruling in Part Google's Demurrers
15 and Settling Case Management Conference (Entered June 27, 2017).) Only a single cause of action
16 against Google relating to the Adult Content Liability Release ("ACLR") survived. (*Id.*) Soon
17 thereafter, the Court sustained Adecco's analogous demurrer to plaintiffs' fourth amended complaint
18 *without* leave to amend. (Order Sustaining Demurrers (Entered Nov. 7, 2017).) Again, after the
19 demurrer order, only a single cause of action against Adecco relating to the ACLR survived.


20 Subsequently, the Court approved Google's and Plaintiffs' settlement of the surviving claim
21 regarding the ACLR. (See Order Approving Settlement Agreement (June 25, 2018) ("Google Settlement
22 Approval Order").) In December of 2018, Adecco and Plaintiffs reached a settlement on the same claim.
23 (See Notice of Settlement (filed Dec. 6, 2018).) On February 21, 2019, the Court approved Adecco's and
24 Plaintiffs' settlement of the surviving claim regarding the ACLR. (See Order Approving PAGA
25 Settlement Agreement (Feb. 21, 2019) ("Adecco Settlement Approval Order").)

26 Judgment is hereby entered in accordance with the terms of this Court's (1) Google Settlement
27 Approval Order; and (2) Adecco Settlement Approval Order. As stated in these Orders, "the Court has
28

1 jurisdiction over the subject matter of this litigation, over all PAGA Settlement Group Members, and over
2 those persons and entities undertaking affirmative obligations under the Settlement,” and “[t]he Court
3 retains exclusive and continuing jurisdiction over this Action for the purposes of supervising,
4 administering, implementing, interpreting, and enforcing this Order, as well as the Settlement.” (Google
5 Settlement Approval Order ¶¶ 4, 15; Adecco Settlement Approval Order ¶¶ 6, 20; see also *id.* ¶ 23; see
6 also Code Civ. Proc. § 664.6.)

7 Except as otherwise provided in the Google Settlement Approval Order and Adecco Settlement
8 Approval Order, this document shall constitute a judgment against both Google and Adecco pursuant to
9 California Rules of Court, rules 8.104, 8.108, 3.1702(b)(1) and Code of Civil Procedure section 577.

10
11 Dated: February 22, 2019



Anne-Christine Massullo
Judge of the Superior Court

CERTIFICATE OF ELECTRONIC SERVICE
(CCP 1010.6(6) & CRC 2.260(g))

I, DANIAL LEMIRE, a Deputy Clerk of the Superior Court of the County of San Francisco, certify that I am not a party to the within action.

On FEB 22 2019, I electronically served THE ATTACHED DOCUMENT via File & ServeXpress on the recipients designated on the Transaction Receipt located on the File & ServeXpress website.

Dated: FEB 22 2019

T Michael Yuen, Clerk

By:


DANIAL LEMIRE, Deputy Clerk