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**SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES
UNLIMITED JURISDICTION**

MATTHEW PETERSON, individually, on
behalf of all others similarly situated, and on
behalf of the general public,

Plaintiff,

v.

FLIXBUS, INC.; and DOES 1-10, inclusive,

Defendants.

Case No.: 23STCV06069

ASSIGNED TO FOR ALL PURPOSES: JUDGE
STUART M. RICE, DEPARTMENT 1

**~~[AMENDED]~~ ~~[PROPOSED]~~ ORDER
GRANTING FINAL APPROVAL OF CLASS
ACTION SETTLEMENT AND MOTION FOR
ATTORNEYS' FEES AND COSTS AND
SERVICE AWARD AND JUDGMENT**

Date: April 14, 2025
Time: 10:30 a.m.
Dept.: 1

Complaint Filed: March 17, 2023

**~~[AMENDED]~~ ~~[PROPOSED]~~ ORDER GRANTING FINAL APPROVAL OF CLASS ACTION SETTLEMENT AND
MOTION FOR ATTORNEYS' FEES AND COSTS AND SERVICE AWARD AND JUDGMENT**

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FILED

Superior Court of California
County of Los Angeles

04/14/2025

David W. Stryker, Executive Officer / Clerk of Court

By: _____ A. He _____ Deputy

1 The Motion for an Order Granting Final Approval of Class Action Settlement came before
2 this Court, on April 14, 2025 at 10:30 a.m. The above captioned Action is a class action lawsuit
3 brought by Plaintiff Matthew Peterson (hereinafter “Plaintiff”) against Defendant FlixBus, Inc.
4 (“Defendant”) (collectively the “Parties”). Plaintiff alleges that Defendant, inter alia, engaged in
5 deceptive practices by selling premium seat reservations for buses where such seats could not be
6 reserved or assigned, violating California’s consumer protection laws, including the Consumers
7 Legal Remedies Act (“CLRA”), Civil Code § 1750, et seq. Defendant denies any and all alleged
8 wrongdoing, and denies any liability to the Plaintiff or to members of the putative class. Defendant
9 contends that the seat reservations are not illusory and that it did not violate the CLRA.

10 On December 6, 2024, this Court entered an Order Granting Preliminary Approval of
11 Settlement, resulting in certification of the following provisional Class:

12 All individuals who purchased seat reservations for any FlixBus trip between
13 January 12, 2020 and January 15, 2023, who did not receive a refund of such seat
14 reservation payment before January 15, 2023.

15 That Order further directed the Parties to provide Notice to the Class, which informed absent
16 class members of: (a) the proposed Settlement, and the Settlement’s key terms; (b) the date, time
17 and location of the Final Approval Hearing; (c) the right of any Class Member to object to the
18 proposed Settlement, and an explanation of the procedures to exercise that right; (d) the right of any
19 Class member to exclude themselves from the proposed Settlement, and an explanation of the
20 procedures to exercise that right; and (e) an explanation of the procedures for class members to
21 participate in the proposed settlement.

22 The Court, upon Notice having been given as required in the December 6, 2024 Preliminary
23 Approval Order, and having considered the proposed Settlement Agreement, filed on November 27,
24 2024 and attached to the Declaration of Christian Schreiber as Exhibit 1, as well as all papers filed,
25 hereby ORDERS, ADJUDGES AND DECREES AS FOLLOWS:

26 1. This Court has jurisdiction over the subject matter of the Action and over all Parties
27 to the Action, including all members of the Class certified by this Court.

1 2. The Notice provided to the Class conforms with the requirements of California Code
2 of Civil Procedure section 382, California Civil Code section 1781, California Rules of Court 3.766
3 and 3.769, the California and United States Constitutions, and any other applicable law, and
4 constitutes the best notice practicable under the circumstances, by providing individual notice to all
5 persons in the Class who could be identified through reasonable effort, and by providing due and
6 adequate notice of the proceedings and of the matters set forth therein to the other persons in the
7 Class. The notice fully satisfied the requirements of due process.

8 3. The Court finds the settlement was entered into in good faith, that the settlement is
9 fair, reasonable and adequate, and that the settlement satisfies the standards and applicable
10 requirements for final approval of this class action settlement under California law, including the
11 provisions of California Code of Civil Procedure section 382 and California Rules of Court, Rule
12 3.769.

13 4. Five Class members, John Druzba, Witty Hope, Elizabeth Fenjves, Gaowes
14 Mohammad, and Nathan Jimenez, have objected to the terms of the Settlement as represented in the
15 Exhibits C-G to the Declaration of the Settlement Administrator, Jeff Moore. The Court has
16 reviewed and considered each objection, summarized as follows:

17 a. Gaows Mohammad objects on the basis that his settlement payment “is not
18 representative of the financial loss [he] incurred because of [Defendant].”

19 b. Nathan Jimenez objects on the basis that the settlement payment “is not enough
20 money”.

21 c. Elizabeth Fenjves objects to the bringing of the lawsuit itself, on the basis that
22 Defendant is “one of the very few transportation formats offered that is affordable.”

23 d. John Druzba objects on the basis that the refund is “negligible” and that the lawyers’
24 fees should be reduced to give class members a “suitable dollar amount over \$10 each”.

25 e. The last objector’s name is redacted [See Exhibit G]. Objector objects to the
26 settlement payment as a “moot outcome” that she believes is worth less than the time to mail
27 or cash the check.

1 (Exhibits C-G to the Moore Decl.)

2 5. The objections may be summarized as raising two points: (1) the Settlement does not
3 confer a great enough benefit to the class and (2) attorney's fees are too high. After consideration,
4 the Court overrules the objections. To the extent the objections are based on a belief that the class
5 should recover some higher amount, it should be noted that settlements, "need not obtain 100
6 percent of the damages sought in order to be fair and reasonable," and that even if the relief is
7 substantially less than what would be available after a successful outcome, "this is no bar to a class
8 settlement because 'the public interest may indeed be served by a voluntary settlement in which
9 each side gives ground in the interest of avoiding litigation.'" (*Wershba*, supra, 91 Cal.App.4th at
10 250, citing *Air Line Stewards, etc., Loc. 550 v. American Airlines, Inc.* (7th Cir. 1972) 455 F.2d
11 101, 109.) Further, the allegedly illusory seat reservations cost on average \$2 each, and a total of
12 \$2,026,442.66 was paid by the Class for seat reservations. Thus the \$1,490,000 Settlement
13 represents approximately 73.53% of Defendant's maximum exposure here. To the extent the
14 objections are based on a belief that attorney fees are unreasonably high, it should be noted that the
15 fees are aggregate fees paid by the class as a whole. Thus, while the amount may seem high in
16 comparison to an individual award, per class member it is a modest amount (approximately \$1.02)
17 for over three years of litigation. Further, the objectors had the opportunity to opt-out and seek
18 individual redress if they did not find the amounts conferred or requested fees to be fair.
19 Finally, the Court notes that out of a large class, the number of objections is minimal (5 out of
20 487,517), reflecting the class's overwhelmingly positive response. The Court finds that the notice
21 was given as directed and conforms to due process requirements. Given the reactions of the Class
22 Members to the proposed settlement and for the reasons set for in the Preliminary Approval order,
23 the settlement is found to be fair, adequate, and reasonable.

24 6. 45 persons in the Class have requested exclusion from the Settlement, and have thus
25 been excluded and are not bound by the Judgment in this Action. The following individuals are
26 excluded from this Settlement:

27 Adreas Vazaio
Akif Khan

Alex Delgado
Annie Rodriguez

Astrid Boudet
Avril Padilla

Carrol Keller	Jaroslav Bastar	Dondanville
Chelsie Douglas	Jim DeLoach	Megan Edelman
Clark Moorman	Johanna Pamminger	Miriam Berne
Crystal Oliver-	John Fallis	Ninad Raikar
Strickland	Justin Kocan	Patricia Barros
Elisa Farinone	Justyna Sikorska	Viotto
Erleen Fernandez	Lily Walker	Paul Randall
Evelyn Yege	Lori Gray	Rachel RJ
Fitima Reynolds	Magnus Althage	Raj Vatsa
Fiyinfoa Ogunkeye	Maria Aguilar	Roxanna Taylor
Gnai Henry	Maria Millares	Russell McDonald
Greg Williams	Mariano Martinez	Ryan Minor
Jaegar Nagle	Buenrostro	Tara Rougle
Jai Imbrey	Maureen Aus	
Jane Banda	Maureen	

7. Upon entry of this Order, compensation to the participating members of the Class shall be effected pursuant to the terms of the Settlement Agreement.

8. The Court approves the Gross Settlement Amount of \$1,490,000.00 as the full and final settlement and compromise of this action. All deductions therefrom are identified in paragraphs 8-10 of this Order. The Court approves the Net Settlement Amount of \$713,790.36 that is available for distribution to the class. The average payment will be \$1.46 per class member.

9. In addition to any recovery that Plaintiff may receive under the Settlement, and in recognition of the Plaintiff's efforts on behalf of the Settlement Class, the Court hereby approves the payment of a Service Award to the Plaintiff, in the amount of \$7,500.00.

10. The Court approves the payment of attorneys' fees to Class Counsel in the sum of \$496,666.67, and the reimbursement of litigation expenses in the sum of \$23,042.97.

11. The Court has reviewed the Declarations of the Settlement Administrator and approves and orders payment in the amount of \$249,000.00 to Verita for performance of its settlement claims administration services.

12. The Court approves (1) the National Consumer Law Center and (2) the Consumer Federation of America, as *cy pres* beneficiaries pursuant to Code of Civil Procedure section 384.

13. Upon the Effective Date, the Plaintiff and all members of the Class, except the excluded individuals referenced in paragraph 5 of this Order, shall have, by operation of this Order

1 and the accompanying Judgment, fully, finally and forever released, relinquished, and discharged
2 Defendant from all claims as defined by the terms of the Settlement. Upon the Effective Date, all
3 members of the Class shall be and are hereby permanently barred and enjoined from the institution
4 or prosecution of any and all of the claims released under the terms of the Settlement.

5 14. Upon completion of administration of the Settlement, the parties shall file a
6 declaration stating forth that claims have been paid and that the terms of the settlement have been
7 completed. This Order and the accompanying Judgment are intended to be a final disposition of the
8 above captioned action in its entirety and intended to be immediately appealable. This Court shall
9 retain jurisdiction with respect to all matters related to the administration and consummation of the
10 settlement, and any and all claims, asserted in, arising out of, or related to the subject matter of the
11 lawsuit, including but not limited to all matters related to the settlement and the determination of all
12 controversies relating thereto. The final judgment shall be posted on the settlement website,
13 <https://flixbussettlement.com/>.

14 15. This Court shall retain jurisdiction with respect to all matters related to the
15 administration and consummation of the settlement, and any and all claims, asserted in, arising out
16 of, or related to the subject matter of the lawsuit, including but not limited to all matters related to
17 the settlement and the determination of all controversies relating thereto.

18 16. Class Counsel is directed to file a Declaration attesting to final distribution of
19 settlement funds and compliance with this Order before April 14, 2026. The Court will set a non-
20 appearance date for submission of a final report by this date.

21 17. Therefore, it is hereby ordered, adjudged, and decreed that judgment be entered in
22 accordance with the terms set forth in that Order. This Court retains jurisdiction with respect to all
23 matters related to the administration and consummation of the settlement, and any and all claims,
24 asserted in, arising out of, or related to the subject matter of the lawsuit, including but not limited to
25 all matters related to the settlement and the determination of all controversies relating thereto.

26 **IT IS SO ORDERED.**

27 DATED: 03/14/2024



28 

Stuart M. Rice / Judge

HONORABLE STUART M. RICE