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15 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
16 FOR THE COUNTY OF LOS ANGELES

17 MELANIE MCCRACKEN, an individual, and  
18 JESSICA NEGRON, an individual,

19 Plaintiffs,

20 v.

21 RIOT GAMES, INC., a Delaware corporation;  
22 and DOES 1 through 10, inclusive,

23 Defendants.

CASE NO. 18STCV03957

**CLASS ACTION**

**JOINT STATEMENT OF PLAINTIFFS AND  
DEFENDANT REGARDING MOTION FOR  
PRELIMINARY APPROVAL OF CLASS  
ACTION SETTLEMENT**

Assigned for all purposes to:  
The Hon. Judge Elihu M. Berle  
Dept: 6

Action Filed: Nov. 5, 2018  
Trial Date: None set

**FILED**  
Superior Court of California  
County of Los Angeles

**FEB 11 2020**

Sherril R. Carter, Executive Officer/Clerk of Court  
By  Deputy  
Isaac Love

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17 MELANIE MCCRACKEN and JESSICA NEGRON and GABRIELA DOWNIE  
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07/13/2023

1 Plaintiffs Jessica Negron and Gabriela Downie (“Plaintiffs”) and Defendant Riot Games, Inc.  
2 (“Riot”) respectfully submit this Joint Statement regarding Plaintiffs’ Motion for Preliminary  
3 Approval of Class Action Settlement (“Motion for Preliminary Approval”).

4 On January 31, 2020, this Court ordered that the hearing on Plaintiffs’ Motion for Preliminary  
5 Approval of Class Action Settlement be continued to March 12, 2020, at 11:00 a.m., that additional  
6 briefing in support of the motion be filed no later than February 14, 2020, and that briefing in  
7 opposition to the motion be filed by February 28, 2020, and replies filed by March 5, 2020. That same  
8 day, Plaintiffs filed substitutions of counsel replacing their prior counsel, Rosen Saba LLP, with  
9 attorneys from Genie Harrison Law Firm, APC and JML Law APLC.

10 Since that time, Plaintiffs’ new counsel have been endeavoring to evaluate as quickly as  
11 possible the terms of the Class Action Settlement. Plaintiffs’ counsel still has not received Rosen  
12 Saba’s full files from this matter. And, while Riot has been cooperative in providing documents and  
13 information to Plaintiffs’ new counsel, additional information is pending production, and, once  
14 complete, reviewing and analysis will take significant time and further discussions with Riot, Mr.  
15 Saba, experts, and others. For these reasons, Plaintiffs have decided to withdraw the existing Motion  
16 for Preliminary Approval. Plaintiffs’ decision to withdraw the Motion for Preliminary Approval at  
17 this time is based solely on Plaintiffs’ counsel’s need for additional time to properly assess the terms  
18 of the Class Action Settlement due to lack of information.

19 Plaintiffs and Riot are committed to an ongoing dialogue regarding the Class Action  
20 Settlement, and are in discussions among each other, and with the intervener Department of Labor  
21 Standards Enforcement (“DLSE”), regarding potential settlement of all claims alleged in this action.  
22 Plaintiffs and Riot therefore request until April 3, 2020, to continue these discussions, by which time  
23 either (1) Plaintiffs will file a renewed Motion for Preliminary Approval, or (2) the parties will file a  
24 status update with the Court setting forth their positions regarding the next steps in this matter.

25 Plaintiffs and Riot sent a draft of this statement to the DLSE to notify the DLSE of these  
26 developments, and to request the DLSE’s concurrence in the request for additional time, until April 3,  
27 2020, for Plaintiffs’ counsel to analyze the proposed settlement terms and have potential additional  
28 settlement discussions.

1 DATED: February \_11\_, 2020

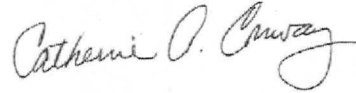
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By: \_\_\_\_\_  
Catherine A. Conway

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Attorneys for Defendant  
RIOT GAMES, INC.

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9 DATED: February \_11\_, 2020

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By: \_\_\_\_\_  
Genie Harrison

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Attorneys for Plaintiffs  
MELANIE MCCRACKEN and JESSICA NEGRON  
and GABRIELA DOWNIE

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18 DATED: February \_11\_, 2020

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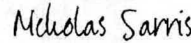
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By: \_\_\_\_\_  
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and GABRIELA DOWNIE

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02/10/2020