

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

SPENCER MEYER, individually and on
behalf of those similarly situated,

Plaintiffs,

v.

TRAVIS KALANICK,

Defendant.

Case No. 1:15-cv-9796 (JSR)

NOTICE OF MOTION

PLEASE TAKE NOTICE that, pursuant to the Court's January 6, 2016 scheduling order in the above-referenced action, as modified by telephonic orders issued on January 8, 2016, January 20, 2016, and January 28, 2016, and upon the accompanying Memorandum of Law and Declaration of Michael Colman, Defendant Travis Kalanick will move this Court, before the Honorable Jed S. Rakoff, United States District Court for the Southern District of New York, 500 Pearl Street, New York, New York, for an order dismissing the First Amended Complaint in this action pursuant to Federal Rule of Civil Procedure 12(b)(6) for failure to state a claim upon which relief can be granted, with answering papers to be served and filed by February 18, 2016, reply papers to be served and filed by February 25, 2016, and oral argument presently scheduled to be held on March 7, 2016 at 5:30 p.m.

Dated: New York, New York
February 8, 2016

Respectfully submitted,

/s/ Karen L. Dunn
Karen L. Dunn

William A. Isaacson
Ryan Y. Park
BOIES, SCHILLER & FLEXNER LLP
Tel: (202) 237-2727
Fax: (202) 237-6131
5301 Wisconsin Ave, NW
Washington, DC 20015
kdunn@bsflp.com
wisaacson@bsflp.com
rpark@bsflp.com

Peter M. Skinner
BOIES, SCHILLER & FLEXNER LLP
575 Lexington Ave, 7th Floor
New York, NY 10022
Tel: (212) 446-2300
Fax: (212) 446-2350
pskinner@bsflp.com

Counsel for Defendant Travis Kalanick