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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

MAURIZIO ANTONINETTI, JEAN
RIKER, JAMES PERKINS, KAREN
FRIEDMAN JAY RIFKIN, SUSAN
CHANDLER, LAURA WILLIAMS, on
behalf of themselves and all others similarly
situated,

Plaintiffs,

vs.

CHIPOTLE MEXICAN GRILL, INC., a
Delaware Corporation, and DOES 1 – 10,
Inclusive,

Defendants.

Case No. 06-CV-02671-BTM (WMc)

**ORDER APPROVING NOTICE TO
PUTATIVE CLASS REGARDING
SETTLEMENT OF PLAINTIFFS'
INDIVIDUAL CLAIMS**

Complaint Filed: December 6, 2006
Trial Date: November 18, 2013

1 Upon the stipulation of the Parties, and good cause having been demonstrated to
2 the satisfaction of the Court, the Court hereby orders as follows:

3 The following language shall be posted via a link on the Chipotle website for at
4 least six continuous weeks prior to the Parties' filing of the Joint Motion for Dismissal
5 of USDC Case No. 06cv2671 BTM (WMc):

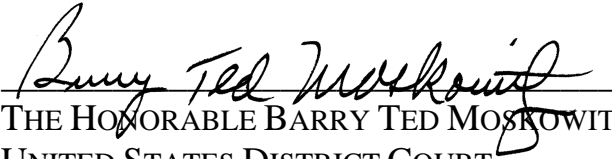
6 “On December 6, 2006, a class action lawsuit entitled
7 *Antoninetti v. Chipotle*, was filed in the Southern District of
8 California, alleging that people who use wheelchairs, scooters
9 or other mobility devices were unable to see their food options
10 or watch their food prepared at Chipotle restaurants in
11 California because of the height of the walls in front of the food
12 preparation counters. On May 7, 2008, identical, similar and/or
13 related claims were made in another class action lawsuit
14 entitled *Perkins v. Chipotle*, which was filed in the Central
15 District of California. The *Perkins* case was stayed while the
16 *Antoninetti* case was litigated. Both cases sought damages for
17 people with disabilities under the Unruh Act and/or the
18 California Disabled Persons Act. On August 28, 2012, the
19 *Antoninetti* court determined that the *Antoninetti* case should
20 not proceed as a class action, and denied class certification. The
21 individual plaintiffs in the *Antoninetti* case have decided to
22 settle their individual claims rather than appeal the denial of
23 class certification. In addition, the individual plaintiffs in the
24 *Perkins* case have decided to settle their individual claims
25 rather than seek class certification. The *Antoninetti* class action
26 claims and the *Perkins* class action claims will, therefore, not
27 continue to be litigated once the cases are dismissed unless
28 someone else intervenes in the cases and wishes to pursue the
class action claims.

 Any persons wanting to pursue their own claims or the
class action claims against Chipotle must file a new lawsuit or
they may seek to intervene in the *Antoninetti* case or the
Perkins case. If you want to intervene in the *Antoninetti* case,
you must do so before **(insert date which is 6 weeks from the
date of first publication of the Notice)** when the *Antoninetti*
case will be dismissed. If you wish to intervene in the *Perkins*
case, you should act promptly to ensure that you intervene
before the *Perkins* case is dismissed. The date for dismissal of

1 The Court further finds that the Notice previously provided by Plaintiffs' counsel
2 to disability rights organizations and individuals, which is substantially similar to the
3 Notice that shall be posted on Chipotle's website, fulfills the Plaintiffs' obligations
4 under the Court's Minute Order of June 19, 2013 and no further notice by Plaintiffs or
5 Plaintiffs' counsel is necessary with respect to USDC Case No. 06cv2671 BTM.

6 **IT IS SO ORDERED.**

7
8 Dated: August 20, 2013


9 THE HONORABLE BARRY TED MOSKOWITZ
10 UNITED STATES DISTRICT COURT