

Case No. S279622

IN THE SUPREME COURT  
OF THE STATE OF CALIFORNIA

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*HECTOR CASTELLANOS, et al.,*  
Plaintiffs, Respondents and Petitioners,

v.

*STATE OF CALIFORNIA, et al.,*  
Defendants and Appellants,

PROTECT APP-BASED DRIVERS AND SERVICES; DAVIS  
WHITE; KEITH YANDELL,  
Intervenors and Appellants.

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AFTER A DECISION BY THE COURT OF APPEAL, FIRST  
APPELLATE DISTRICT, DIVISION FOUR, CASE NO. A163655  
Alameda County Superior Court, Case No. RG21088725  
Hon. Frank Roesch, Judge

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**APPLICATION FOR PERMISSION TO FILE AMICI  
CURIAE BRIEF IN SUPPORT OF DEFENDANTS,  
INTERVERNORS AND APPELLANTS;  
AMICI CURIAE BRIEF OF INDEPENDENT DRIVERS  
ALLIANCE OF CALIFORNIA, KELLY RICKERT, ALI  
MAZHIN AND STEPHANIE WHITFIELD**

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**APPLICATION FOR LEAVE TO FILE AMICI CURIAE  
BRIEF IN SUPPORT OF APPELLANTS**

Pursuant to rule 8.520(f) of the California Rules of Court, the Independent Drivers Alliance of California (“Alliance”), and Kelly Rickert, Ali Mazhin and Stephanie Whitfield as members of the Alliance, respectfully request permission to file the attached amici curiae brief in support of the position taken by Defendants and Appellants State of California, et al., and Intervenors and Appellants Protect App-Based Drivers and Services (collectively, “Appellants”) that Proposition 22 should be enforced rather than improperly invalidated.

**I. Identification Of Amici Curiae.**

Kelly Rickert, Ali Mazhin and Stephanie Whitfield are Californians and members of the Alliance who use the platforms created by DoorDash, Instacart, Lyft, Postmates, Uber or Uber Eats to earn a living or supplemental income.

The Alliance is composed of nearly 400 members who are such rideshare and delivery drivers. It was established to give those drivers a voice in the protection of important interests, and it represented the interests of the more than 120,000 drivers who signed on to support Proposition 22.

## **II. Interests Of Amici Curiae In This Appeal.**

Overturing the well-reasoned majority decision of the California Court of Appeal in this case presents a direct threat to the interests of the Alliance's members. The Alliance, Kelly Rickert, Ali Mazhin and Stephanie Whitfield (collectively, "Amici"), as well as the Alliance's hundreds of other members, not to mention over 100,000 similarly situated drivers, greatly benefit from Proposition 22 and would be directly harmed if it were found to be unenforceable. Thus, Amici (and other Alliance members and directors who are unrepresented by counsel but wish to contribute here) have a keen interest in the outcome of the case.

Indeed, the decision of this Court will affect not only the parties to this case; it will also affect Amici, hundreds of other Alliance members, and tens of thousands of other drivers who want to maintain the flexibility to earn income using the services of app-based technology companies as independent contractors. Amici and the other members of the Alliance are fully aware of the benefits and burdens of employment. Indeed, many drivers are already employed in other endeavors. These drivers use the apps to supplement their income when they desire, at times and

locations convenient for them, and for competitive compensation that they deem worth their time and investment.

### **III. The Proposed Amici Brief Will Assist The Court.**

The proposed amici curiae brief presents arguments that materially add to and complement Appellants' briefs on the merits without repetition. Amici are familiar with the issues before the Court and believe that additional briefing will assist the Court in understanding the importance of the issues presented. Specifically, Amici believe it is important to outline the practical, real-life impact that invalidating Proposition 22 will have on them, the Alliance's other members, and tens of thousands of similarly situated drivers.

The objective of the lawsuit here is to force all drivers to be classified as "employees" despite the desire of most drivers to remain independent contractors, under the guise that undoing the sound provisions of Proposition 22 will somehow stop the alleged skirting of minimum worker protections. The Appellants who are opposing this misguided invalidation of Proposition 22 advance sound legal arguments, but the app-based drivers have unique perspectives that are not fully illuminated in those arguments.

For instance, Defendants, Respondents and Petitioners Hector Castellanos et al. (“Petitioners”) incorrectly presume that voiding Proposition 22 will provide positive benefits to app-based drivers. In truth, if that sound ballot measure is invalidated, it will have a harmful impact on the livelihood of hundreds of thousands of app-based drivers. Amici are concerned that the relief sought here by Petitioners, while ostensibly intended to benefit them, will in fact cause massive harm and disruption to the app-based drivers’ ability to earn income at a time when such opportunities are sorely needed. This harm will be realized in ways that Appellants’ briefs seek to avoid but do not fully illuminate. Thus, Amici’s viewpoint, and those of other Alliance members, will assist the Court in making its judgment.

#### **IV. Authorship And Funding Disclosures.**

Pursuant to rule 8.520(f)(4) of the California Rules of Court, Amici hereby represent that no party or counsel for a party authored or funded the preparation or submission of the proposed amici curiae brief. Further, no other person or entity, separate and apart from Amici, made any monetary contribution intended to fund the preparation or submission of the amicus curiae brief.



**V. Conclusion.**

Because the proposed amici curiae brief will assist the Court in deciding this matter, counsel for Amici respectfully requests that the Court grant Amici permission to file the proposed amici curiae brief.

Respectfully Submitted,

Dated: April 3, 2024

**weintraub tobin chediak  
coleman grodin  
law corporation**

By: /s/ Brendan J. Begley  
Brendan J. Begley

## AMICI CURIAE BRIEF IN SUPPORT OF APPELLANTS

### I. Introduction.

It is wildly inaccurate for opponents of Proposition 22 to contend that this ballot measure enriches app-based companies at the expense of drivers. It also is false to argue that the benefits provided by Proposition 22 are inferior to those the drivers would have in the absence of it. In truth, Proposition 22 ensures that app-based drivers earn more than the minimum wage guaranteed to other workers, provides them with a health subsidy that is not required in other industries, and empowers them with invaluable flexibility. Surveys show that these benefits led app-based drivers to strongly support that initiative.

Indeed, the package of benefits and flexibility provided by the People's enactment of Proposition 22 continues to enjoy widespread support – not just among the public at large (as evidenced by the wide margin by which the initiative passed), but also among app-based workers themselves. And, as the Appellants have shown, there is no legal basis to negate that package of flexibility and benefits for thousands of workers who provide app-based services and the many more thousands of customers who rely upon such services.

Those who would undo Proposition 22 predict that unionizing app-based drivers may, in time, alleviate the loss of such valuable benefits. But while collective bargaining may have benefited workers in other industries, it is ill-fitted to the gig industry. For example, collective bargaining would erase the flexibility that enables app-based drivers to maximize earnings while managing other important areas of life or even holding other jobs.

Clearly, one of the crucial incentives of gig work protected by Proposition 22 is the ability for drivers to earn and supplement their income when it is convenient for them. The traditional employment model simply does not offer the same flexibility and autonomy to workers.

Proposition 22 simultaneously provides benefits and worker protections that go far beyond the baseline of the traditional independent contractor model. For instance, the measure provides a minimum-earnings guarantee equal to 120 percent of the minimum wage plus a per-mile compensation rate for vehicle expenses, a health subsidy that is not required in other industries, insurance protection that covers on-the-job

injuries and automobile accidents, and protection against harassment and discrimination.

This combination of benefits and autonomy is widely supported by drivers and is something that many of them have come to expect and even need in order to continue providing such valued services. A number of reliable surveys bear out the broad-based and enthusiastic support for Proposition 22, as do the personal accounts of Amici Curiae Kelly Rickert, Ali Mazhin and Stephanie Whitfield, and other members and directors of Amicus Curiae Independent Drivers Alliance of California (“Alliance”).

They are far from alone. A reliable survey in 2021 found that nine in ten drivers who have seen changes since Proposition 22 took effect say that the changes have had a positive impact on their life, and fully 84 percent of drivers say they prefer to be an independent contractor. (Benenson Strategy Group, California Drivers Reaction to Prop 22, May 12, 2021.)

## **II. Discussion.**

Such enthusiastic support for Proposition 22 and the income and services it fosters comes as no surprise. The following personal accounts and various other more recent and equally reliable surveys illuminate these realities.

**A. Personal Accounts.**

The following accounts of Amici Curiae Kelly Rickert, Ali Mazhin and Stephanie Whitfield, as members of the Alliance, along with accounts of other Alliance members and directors, confirm that the hours they and tens of thousands of other drivers work would be longer, the working conditions they face would be less desirable, and the pay they earn would be lower without Proposition 22.

**1. Kelly Rickert Greatly Benefits from Proposition 22.**

Kelly Rickert, a member of the Alliance, is a 46-year-old woman who greatly benefits from Proposition 22. Kelly was born with a number of serious health problems that necessitated 19 surgeries over the course of her life, including nine hip surgeries, two knee surgeries and a steel rod inserted into her femur. Five of those surgeries took place in the past seven years, and she was bedridden for two years between 2016 and 2018.

Kelly, who presently lives with her 27-year-old daughter, started DoorDash driving after she recovered from hip surgery in 2020. She routinely performs such work approximately four hours per day, three to four days per week.

Kelly explains, “I like to put my all into anything I do,” and says that this attitude helped her to overcome her many health obstacles and other life challenges. Thus, when she is driving for DoorDash, she puts all her focus on the tasks it requires and strives to fulfill those tasks thoroughly, which includes (among other things) being efficient, timely and friendly.

She especially likes working through the DoorDash platform, as it gives her a chance to help people who, like her between 2016 and 2018, cannot leave their homes to enjoy a desired meal. Along with delivering meals, she also delivers groceries and essential goods and sometimes does the shopping for her customers. Doing that work is fulfilling as it gives her the opportunity to engage with her community on a regular basis.

Unfortunately, since her many surgeries have not eliminated all of her health issues, Kelly still has good days and bad days physically. Accordingly, on those bad days, she needs to put her all into taking care of her health.

Being an independent contractor who provides services via DoorDash gives Kelly the flexibility to work the days and hours on which she is able to put her all into those tasks, and to not work and put her all into her health on days she needs to focus

there. In Kelly's experience, working as an employee in any other industry, unionized or non-unionized, simply would not give her the flexibility to put her all into her work on the days she can while putting her all into her health on the days she must.

Just as Kelly has good days and bad days in terms of her health, she also has days where her productivity and earnings fluctuate. On most days she earns far more than minimum wage, but not on all days. Proposition 22 has significantly made low earning days much better for her by guaranteeing that she earns 120 percent of minimum wage. It has improved Kelly's overall income potential by creating a stable floor for earnings.

Of course, if Proposition 22 were eliminated and Kelly continued working as a driver, she would lose the guarantee of earning 120 percent of minimum wage. At the same time, even if a labor union were to organize DoorDash drivers and manage to secure higher wages for them via collective bargaining, such a development would not benefit Kelly.

Rather than enabling her to put her all into her work on days she can and put her all into her health on days she must, a collective bargaining agreement surely would relegate Kelly (and all drivers) to driving certain days during certain hours in certain

areas. Such an imposition would disable Kelly from choosing to work on the days, hours and locations that she believes would provide the most lucrative earnings for her within the confines of her health restrictions.

For Kelly, it is clear: Working as an independent contractor via DoorDash greatly benefits her, while invalidating Proposition 22's protections would greatly harm her.

## **2. Invalidating Proposition 22 Would Greatly Harm Ali Mazhin.**

Ali Mazhin, a member of the Alliance, is a 45-year-old man whose parents escaped from Iran when he was an infant as that country was beset with revolution. He was raised in the United States and obtained his MBA from California State University, Dominguez Hills. Ali has worked for both non-union and union employers, continues to work for Ralphs (where he is a member of the United Food and Commercial Workers labor union), and has been writing a book that is about to be published.

Ali's father, who did so much to give his family opportunities and freedom in the United States, became afflicted with Parkinson's disease and then dementia in recent years (and passed away on May 22, 2022). Ali's father needed round-the-



clock care, and Ali devoted a great deal of his time providing it. His father's need for such assistance grew as physical limitations from Parkinson's disease progressed, and his father's care needs became even more significant as dementia took hold.

Relying on earnings from a second job with either a unionized or non-union employer to supplement his income in the ways he required would have deprived Ali of the flexibility he needed to be present to care for his father during the sometimes predictable but often unpredictable times his parents required such assistance. On the other hand, working as an independent contractor providing services via Postmates and then via Uber Eats gave Ali the necessary flexibility to help his mother and care for his father while still earning a living for himself.

Working as an independent contractor via Uber Eats while holding down his job at Ralphs enabled Ali to earn the additional income he needed to make ends meet. That flexibility also enabled him to write and publish a book in September 2022 and to obtain a realtor license in April 2023. Indeed, Proposition 22 ensured that he earned at least 120 percent of minimum wage when driving as an independent contractor.

If Proposition 22 were not in place while Ali was caring for his father, Ali would have had to choose between caring for his dear parents (who gave him so much) or earning the additional income he required through some type of inflexible employment. Having a union negotiate with an employer to determine hourly rates, shifts and areas of service would have eliminated Ali's ability to earn that supplemental income at times and in places where he could still care for his dad.

For Ali, it is clear: Being unable to work as an independent contractor through gig platforms like Postmates or Uber Eats would have significantly harmed Ali and his family by forcing him to choose between caring for his ill dad or making ends meet, while preserving Proposition 22's protections would provide continuing opportunities to him.

**3. Proposition 22 Provides Opportunities to Brian Verril.**

Brian Verril is a 46-year-old man and member of the Alliance who is grateful for the opportunities provided by Proposition 22. Brian holds a college degree in information technology and computer science and used to work for MKTco earning \$16 per hour. His job there imposed a fixed schedule

that often prevented him from taking his son, who is now 13 years old, to school or home from school and frequently hindered him from attending his son's after-school soccer activities.

Thankfully, in and after 2018, Brian was able to work as an independent contractor providing services through DoorDash. That gave him the flexibility to drive his son to and from school and to attend his son's soccer practices and enjoy his son's soccer games.

At the same time, his new opportunities as an independent contractor were financially rewarding. Brian estimated that he worked six to seven days a week in that endeavor, usually for four or five hours a day, which enabled him to qualify for the health stipend mandated by Proposition 22. By his tally, Brian earned an average of \$30 to \$40 an hour doing that work.

On the infrequent days when his DoorDash work does not pay as well, Brian benefits from Proposition 22's guarantee to pay him 120 percent of minimum wage. Before the passage of Proposition 22, Brian had no such guarantee.

Brian has taken advantage of these opportunities in other ways that also benefit both the economy and the environment. Specifically, the earnings he made and tax write-offs for which he

qualified as an independent contractor enabled him to save enough money to purchase a hybrid car, which he uses in providing DoorDash services.

For Brian, it is clear: Working as an independent contractor using the DoorDash platform has provided significant opportunities to him, while invalidating Proposition 22's protections would take away valuable options.

#### **4. Voiding Proposition 22 Would Take Away Options from Arman Martikian.**

Arman Martikian is a 45-year-old man and a member of the Alliance whose options would have been limited if Proposition 22 were voided. Arman had been learning to be an elevator mechanic and going to school to develop skills needed to open his own business. Driving as an independent contractor via DoorDash between 30 and 35 hours per week enabled him to pursue those options.

Arman chose to work as a DoorDash driver seven days per week on average, usually between four and six hours per day, but on days and at times when he did not have to attend class or study. The health stipend he earned through such work was useful to him when he has needed medical care. The flexibility to

drive when he was not in school or studying to be an elevator mechanic was invaluable to him. Arman would not drive if Proposition 22 were revoked.

For Arman, it is clear: Being unable to DoorDash as an independent contractor would negate vital options, such as learning a trade or developing a business, while validating Proposition 22 would ensure the flexibility he and others need.

**5. Erick Ramirez Needs the Flexibility that Proposition 22 Provides.**

In 2022, Erick Ramirez was a 47-year-old man and a member of the Alliance who worked as a fulltime freight driver for roughly two decades until 2020. There was no flexibility in that job; it was a set schedule of days and hours with a fixed route. Likewise, Erick worked for Amazon over the holidays one year, which also provided no flexibility while demanding overtime hours.

The inflexibility imposed by such jobs became too much when Erick's mother developed a debilitating form of heart disease that required him to care for her for months before she passed away in 2021. During that delicate time, he earned money doing DoorDash deliveries between six or seven hours per

day (about 32 to 35 hours per week). Thankfully, he was able to do it at times when his ailing mom did not need him.

Erick's father was experiencing declining health in 2022 and had to be taken to and from medical appointments. Erick also had a health issue that required routine doctor visits. Driving as an independent contractor gave Erick the flexibility he needed to take care of himself and his parents while providing a level of income to him that met his needs.

For Erick, it is clear: Working as an independent contractor via DoorDash has given him the flexibility he needed at the critical times, while invalidating Proposition 22's protections would result in less guaranteed compensation and no health subsidy for him.

**6. Stephanie Whitfield Would Have Less Guaranteed Compensation and No Health Subsidy if Courts Kill Proposition 22.**

Stephanie Whitfield, a member of the Alliance, is a 48-year-old woman whose compensation guarantee and health subsidy will be lost if courts erase the will of voters who overwhelmingly passed Proposition 22. Stephanie worked full-time as special-education teacher in elementary school for 11 years until 2018, when she became paralyzed and needed back surgery and a year

to recover. Thereafter, she started working as an independent contractor providing services via Instacart and Lyft.

Stephanie estimates that she earned between \$35,000 and \$45,000 annually as a fulltime teacher, and that she earns roughly \$60,000 per year as an independent contractor using the Instacart and Lyft platforms. Not only is she making more money as a driver, but that work provides flexibility that her job as a teacher did not.

This flexibility is vital, since Stephanie shares custody of four teenagers with her kids' father and her step-kids' mother while living in a rural area that provides no school-bus service. Getting the kids to and from school, their other parents and their activities requires logistics that a rigid teaching schedule cannot accommodate. By contrast, Proposition 22's protections enable her to handle such logistics seamlessly while earning a good income.

If Proposition 22 is negated, Stephanie expects she will have to stop providing services via the Instacart and Lyft platforms and to return to teaching to make a living. However, if it comes to that, she plans to work as a substitute teacher so that she can still have some flexibility that is needed to take care of

her blended family. She anticipates that working as a substitute teacher will cut her present income in half while greatly reducing the flexibility she now has to tend to her kids and step-kids.

For Stephanie, it is clear: Working as an independent contractor has given her both increased pay and the flexibility needed to take care of her children and step-children, while voiding Proposition 22's protections would harm her and tens of thousands of other drivers both personally and financially.

**7. Patricia “Patty” Mullholland Values the Better Life that Proposition 22 Allows Her to Lead.**

Patricia “Patty” Mullholland is a member and director of the Alliance and a disabled veteran. She is a 69-year-old woman who was injured while serving in the United States Air Force. After concluding her military service, Patty worked for many years as a legislative analyst for various committees in the California Assembly and as a lobbyist. With her unique insight, Patty also worked as a special assistant to President George W. Bush during his first term in office, where she provided guidance on veterans' healthcare issues.



Patty ultimately ran a media-and-political consulting company until she had to stop in order to care for her ailing uncle in roughly 2009. Not long thereafter Patty started driving as an independent contractor for Uber. In that capacity, Patty was able to earn income at the relatively unpredictable times when her uncle did not need her to be with him.

Although she did not need health insurance, since she had secured such coverage elsewhere, Patty was able to earn a comfortable income while caring for her uncle until he died. Later, when she started facing her own health problems, Patty needed the independence to work when such obstacles are not present and to refrain from working when they are. This flexibility enabled Patty to earn as much as \$75,000 in various years as an independent contractor.

For Patty, it is clear: She leads a better life because she was able to work as an independent contractor for Uber when her uncle's health was debilitating, and Proposition 22 enabled her to continue earning a good living thereafter when her own health limitations negated her opportunities to work as an employee. It is very important to Patty to keep Proposition 22 in place.

**8. Alfred Porche III is Opposed to Losing the Opportunities for a Better Life that Proposition 22 Provides.**

Alfred (“Al”) Porche III is also an Alliance member, director and disabled veteran. He is a 49-year-old man who has led a better life due to Proposition 22. Al was injured in Iraq while serving in the United States Army in 2003. After nearly a decade in the armed forces, he completed his service in June 2005.

Thereafter, Al worked as a manager at a McDonald’s restaurant, as a well hand for Halliburton, and then as a correctional officer in Oklahoma. With the afflictions from his wartime injury growing worse, he became unable to work in those types of positions, was rated at 100-percent unemployable, and lived on disability pay. That was until started working as an independent contractor for Uber in April 2016.

Whereas Al would not be able to leave other regular-type jobs in the middle of the day if his afflictions were hindering his performance, he can do so as an independent contractor. Moreover, after Proposition 22 passed, Al’s earnings increased. Proposition 22 maintains the good income Al earns from working as an independent contractor for Uber as well as the flexibility to earn that income when his disabilities permit it.

For Al, it is clear: He has every good reason to oppose the prospect of losing Proposition 22 , which has enabled him to lead a better and more productive life than he was when his only income was from disability pay.

**B. These Accounts Are Not Simply Anecdotal.**

Citing distorted anecdotes, Petitioners and lobby groups have incorrectly urged in this case and in campaigning against Proposition 22 that drivers in the gig industry are harmed by and unhappy with that ballot initiative. While Petitioners and those lobby groups may try to contend that the accounts and insights shared in this brief are anecdotal, that simply is not so.

Indeed, the views of Amici and other members of the Alliance expressed herein are held by all of the Alliance's nearly 400 members. Moreover, the aforementioned survey by Benenson Strategy Group confirms that four out of five drivers (82%) are happy that Proposition 22 passed, and a majority of them are very happy. (Key Findings from Prop 22 Survey with CA Drivers and Delivery People dated May 13, 2021, [https://89db49b5-e060-4472-a495-fee2659eaa.usrfiles.com/ugd/89db49\\_bebda2e21d92485a831a623ac094966a.pdf](https://89db49b5-e060-4472-a495-fee2659eaa.usrfiles.com/ugd/89db49_bebda2e21d92485a831a623ac094966a.pdf).)

That same study reveals that nine in ten (92%) drivers who have seen changes since Proposition 22 took effect say the changes have had a positive impact on their life. That study also indicates that more than three in four drivers feel that Proposition 22 benefits them personally. Finally, that study found that drivers by nearly a five-to-one margin (84%) say they prefer to be an independent contractor, compared to just 17 percent who say they would prefer to be an employee.

Similarly, another survey conducted by Rideshare Guy in 2020 shows that 60 percent of California drivers supported Proposition 22, compared with only 23.6 percent who were against it. (<https://therideshareguy.com/uber-driver-survey/>.) That credible survey also found that 68.8 percent wanted to remain independent contractors compared with 11.5 percent who wanted to be employees. (*Ibid.*)

In that vein, a nationwide survey conducted by the Pew Research Center in 2021 found that 78 percent of platform workers rated their experience as an independent contractor as positive. (<https://www.pewresearch.org/internet/2021/12/08/how-gig-platform-workers-view-their-jobs/>.) That same highly reliable survey also found that the top reasons workers use app-based

platforms include the desires of those workers to control their own schedule and their ambitions to be their own boss. (*Ibid.*)

More recent surveys show that these positive views of Proposition 22 are not short lived but understandably endure. For instance, a September 2022 survey sponsored by the Flex Association and conducted by Morning Consult surveyed 1,251 app-based workers and confirmed that 77 percent of them prefer to be classified as independent drivers. (<https://www.flexassociation.org/post/mcworkersurvey>.) Not surprisingly, that study indicates that this overwhelming preference is primarily due to the flexibility, work/life balance, and the ability to supplement additional income that the independent-driver classification affords.

Another survey sponsored by the Flex Association and conducted by Morning Consult in April 2023 studied four categories; i.e., the App-Based Economy, App-Based Consumers, Classifying App-Based Earners, and App-Based Earners. (<https://www.flexassociation.org/national-survey>.) That survey found that 75 percent of app-based earners prefer to be classified as independent contractors. Additional data shows that most app-based workers are employees in other professions (69

percent) and most work through apps less than 20 hours per week (77 percent). It seems obvious that the flexibility to earn extra income is one factor that accounts for the strong preference to remain classified as independent contractors.

In that vein, The Mellman Group conducted a survey of 1,000 California app-based drivers in in December 2023, which was sponsored by Protect App-Based Drivers and Services. (<https://protectdriversandservices.com/new-poll-shows-california-drivers-still-support-prop-22/>.) That study found that 71 percent of the participants prefer to be independent contractors and that 83 percent of them support Proposition 22.

### **III. Conclusion.**

In sum, Proposition 22 remains “necessary to protect [the] freedom [of app-based drivers] to work independently.” (Bus. & Prof. Code, § 7449, subd. (a)-(f).) Additionally, Proposition 22 valuably provides “minimum compensation levels, insurance to cover on-the-job injuries, automobile accident insurance, healthcare subsidies for qualifying drivers, protection against harassment and discrimination, and mandatory contractual rights and appeal processes.” (*Id.* at § 7450, subds. (a) & (c).)

Given these circumstances, Proposition 22 is vital in terms of advancing such sensible public policies. At the same time, and for the reasons explained by Appellants, Proposition 22 is constitutionally sound and legally valid. Therefore, Amici respectfully submit that this Court should uphold the well-reasoned majority opinion of the Court of Appeal, allow the will of the California electorate to be followed, and enable the benefits of Proposition 22 to be realized.

Dated: April 3, 2024

**weintraub tobin** chediak  
coleman grodin  
law corporation

By: /s/ Brendan J. Begley  
Brendan J. Begley

**CERTIFICATE OF COMPLIANCE PURSUANT TO  
CALIFORNIA RULES OF COURT, RULE 8.204(c)(1)**

Pursuant to California Rules of Court, rules 8.204(c)(1) and 8.520(b)(1), I certify that the attached proposed brief is proportionately spaced, has a typeface of 13 points and contains 4,092 words (as counted by the computer program used to prepare this brief).

Dated: April 3, 2024

**weintraub tobín** chediak  
coleman grodin  
law corporation

By: /s/ Brendan J. Begley  
Brendan J. Begley



## **PROOF OF SERVICE**

I am a citizen of the United States, employed in the City and County of Sacramento, California. My business address is 400 Capitol Mall, Eleventh Floor, Sacramento, California 95814. I am over the age of 18 years and not a party to the within action. On today's date, I caused to be served the following:

**APPLICATION OF INDEPENDENT DRIVERS ALLIANCE  
OF CALIFORNIA, KELLY RICKERT, ALI MAZHIN AND  
STEPHANIE WHITFIELD FOR LEAVE TO FILE AMICI  
CURIAE BRIEF IN SUPPRT OF APPELLANTS;  
PROPOSED AMICI CURIAE BRIEF**

**BY U.S. MAIL**

I am readily familiar with the firm's practice of collection and processing correspondence for mailing in the ordinary course of business. Under this practice, correspondence is collected, sealed, postage thereon fully prepaid, and deposited the same day with the U. S. Postal Service.

I caused the above documents to be served on the parties in this action by placing them in a sealed envelope in the designated area for outgoing mail, addressed as shown below.

**Alameda County Superior Court  
1225 Fallon Street  
Oakland, CA 94612**

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on April 3, 2024, in Sacramento, California.

/s/ - Ramona R. Carrillo  
Ramona R. Carrillo

STATE OF CALIFORNIA  
Supreme Court of California

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STATE OF CALIFORNIA  
Supreme Court of California

Case Name: **CASTELLANOS v. STATE OF CALIFORNIA (PROTECT APP-BASED DRIVERS AND SERVICES)**

Case Number: **S279622**

Lower Court Case Number: **A163655**

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4/3/2024

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Date

/s/Ramona Carrillo

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Signature

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