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14 **UNITED STATES DISTRICT COURT**
15 **NORTHERN DISTRICT OF CALIFORNIA**
16 **SAN JOSE DIVISION**

17 IN RE GOOGLE ASSISTANT PRIVACY
18 LITIGATION

19 This Document Relates to:

20 ALL ACTIONS

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Case No.: 19-cv-04286-BLF

STIPULATION AND ~~PROPOSED~~
ORDER TO EXTEND THE CLASS
NOTICE DATE & RELATED
DEADLINES

Judge: Hon. Beth L. Freeman

1 Pursuant to Civil Local Rule 6-1(b), Plaintiffs Asif Kumandan, Melissa Spurr, and
2 Melissa Spurr, as guardian of B.S., a minor, Lourdes Galvan, Eleeanna Galvan (“Plaintiffs”) and
3 Defendants Google LLC and Alphabet Inc. (“Defendants” and along with Plaintiffs, “Parties”),
4 by and through their attorneys of record, hereby stipulate as follows:

5 1. WHEREAS, on February 9, 2024, the Court granted Plaintiffs’ Unopposed Motion
6 for Approval of Class Notice Plan and ordered the class notice plan (“Class Notice Plan”) to be
7 implemented on the timeline set forth in the order. ECF No. 423 (“Class Notice Plan Order”).

8 2. WHEREAS, the Class Notice Plan Order requires Google to produce to the Notice
9 Administrator a list of email addresses for the purpose of dissemination of class notice (“Email
10 List”) within 60 days of the Class Notice Plan Order, or by **April 9, 2024**, and requires the Notice
11 Administrator to (1) disseminate notice of this action to each email address included on the Email
12 List; (2) cause notice to be published in a press release; and (3) cause the long-form notice of
13 pendency of class action, relevant Court documents, procedural posture, and frequently asked
14 questions and answers to be posted to the case website within 21 days of receipt of the Email List,
15 or by **April 30, 2024** (“Class Notice Date”). ECF No. 423.

16 3. WHEREAS, the Parties have been engaged in ongoing mediation efforts to resolve
17 this litigation, and on February 27, 2024, the Parties conducted a mediation before JAMS mediator,
18 Hon. Jay C. Gandhi (Ret.) and are in the process of scheduling a follow-up in-person mediation in
19 San Francisco, CA to occur in late April or May, 2024.

20 4. WHEREAS, it would be inefficient for class notice to be disseminated while the
21 Parties continue to attempt to resolve this litigation. If the case settles after class notice is
22 disseminated, a second notice to the settlement class would be required. This would be wasteful
23 and potentially confusing to members of the class. Thus, good cause exists to extend the Class
24

1 Notice Date and other related deadlines to avoid the duplicative expense and confusion that two
2 notices would cause.

3 5. WHEREAS, the last date to file dispositive motions in this case is May 8, 2025 and
4 a two-week jury trial is scheduled for September 22, 2025, and thus, extension of the Class Notice
5 Date and related deadlines, as proposed below, will not conflict with the Court’s current dispositive
6 motion and trial deadlines;

7 **NOW, THEREFORE, IT IS HEREBY STIPULATED** by and between the Parties,
8 by and through their respective counsel, and respectfully requested that the Notice Date and related
9 deadlines be extended as follows:

10 1. By June 7, 2024, Defendants Alphabet Inc. and Google LLC (“Google”) shall
11 produce to the Notice Administrator a list, in electronic form, of all email addresses associated
12 with Users of Google Assistant on Google-Made Devices during the period May 18, 2016 to
13 December 16, 2022, based on a reasonable review of Google’s business records (the “Email List”).

14 2. Within 21 calendar days of its receipt of the Email List, the Notice Administrator
15 shall: (1) disseminate notice of this action in accordance with the Schachter Declaration to each
16 email address included on the Email List; (2) cause notice to be published in a press release in
17 accordance with the Schachter Declaration; and (3) cause the long-form notice of pendency of
18 class action (the “Notice”), relevant Court documents, procedural posture, and frequently asked
19 questions and answers to be posted to the case website (“Class Notice Date”).

20 3. The Exclusion Requests from the Class shall be made by submitting a written
21 request for exclusion as set forth in the Notice and shall be postmarked or timestamped (for online
22 submissions) within 45 calendar days after the Notice Date (“Exclusion Deadline”).
23
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1 4. Within five calendar days following the Exclusion Deadline, the Notice
2 Administrator shall submit a declaration setting forth its notification efforts and summarizing the
3 Exclusion Requests it received.

4 5. Within 10 calendar days following the Exclusion Deadline, counsel for Plaintiffs
5 and the Class shall file all such Exclusion Requests with the Court.

6 **IT IS SO STIPULATED.**

7 Dated: April 3, 2024

8 **Respectfully Submitted**

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ATTESTATION

Pursuant to L.R. 5-1(i), I attest that concurrence in the filing of this document was obtained from the other signatories.

s/ Sunita Bali _____
Sunita Bali

~~PROPOSED~~ ORDER

IT IS HEREBY ORDERED that the Parties SHALL implement the class notice plan (“Class Notice Plan”) as follows:

1. By June 7, 2024, Defendants Alphabet Inc. and Google LLC (“Google”) shall produce to the Notice Administrator a list, in electronic form, of all email addresses associated with Users of Google Assistant on Google-Made Devices during the period May 18, 2016 to December 16, 2022, based on a reasonable review of Google’s business records (the “Email List”).

2. Within 21 calendar days of its receipt of the Email List, the Notice Administrator shall: (1) disseminate notice of this action in accordance with the Schachter Declaration to each email address included on the Email List; (2) cause notice to be published in a press release in accordance with the Schachter Declaration; and (3) cause the long-form notice of pendency of class action (the “Notice”), relevant Court documents, procedural posture, and frequently asked questions and answers to be posted to the case website (“Class Notice Date”).

3. The Exclusion Requests from the Class shall be made by submitting a written request for exclusion as set forth in the Notice and shall be postmarked or timestamped (for online submissions) within 45 calendar days after the Notice Date (“Exclusion Deadline”).

4. Within five calendar days following the Exclusion Deadline, the Notice Administrator shall submit a declaration setting forth its notification efforts and summarizing the Exclusion Requests it received.

5. Within 10 calendar days following the Exclusion Deadline, counsel for Plaintiffs and the Class shall file all such Exclusion Requests with the Court.

1 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

2
3 Dated: April 4, 2024


4 HON. BETH LABSON FREEMAN
5 UNITED STATES DISTRICT JUDGE