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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

IN RE GOOGLE ASSISTANT PRIVACY
LITIGATION

Case No. 19-cv-04286-BLF

**ORDER GRANTING PLAINTIFFS’
UNOPPOSED MOTION FOR
APPROVAL OF CLASS NOTICE PLAN**

[Re: ECF 403, 422]

This order addresses Plaintiffs’ motion for approval of class notice plan, *see* Pls.’ Mot., ECF 403, which has been taken under submission for decision without a hearing, *see* Order Vacating Hrg. ECF 421. In its order vacating the hearing, the Court directed the parties to file a joint status report advising whether there are any remaining disputes regarding Plaintiffs’ proposed class notice plan. *See* Order Vacating Hg. The Court also directed Plaintiffs to submit amended proposed long-form and short-form class notices. *See id.*

The parties filed a joint status report on February 8, 2024, advising that there are no remaining disputes regarding the class notice plan, attaching amended proposed long-form and short-form class notices, and asking the Court to require dissemination of class notices within 90 days after approval of the class notice plan. *See* Joint Status Report, ECF 422.

The Court finds that the proposed class notice plan, and the amended proposed class notices, satisfy the requirements of Federal Rule of Civil Procedure 23 and due process. Plaintiffs’ motion for approval of class notice plan is GRANTED.

IT IS HEREBY ORDERED that the parties SHALL implement the class notice plan (“Notice Plan”) as set forth in Plaintiffs’ motion for approval of class notice plan and the parties’ joint status report, and as follows:

1 (1) A.B. Data, Ltd. (“A.B. Data” or “Notice Administrator”) is appointed and
2 authorized to supervise and administer the Notice Plan. A.B. Data shall execute the Notice Plan as
3 proposed in the Schachter Declaration submitted with Plaintiffs’ motion, as modified by the
4 parties’ joint status report and amended proposed class notices submitted therewith.

5 (2) Within 60 calendar days after entry of this order, Defendants Alphabet Inc. and
6 Google LLC (“Google”) shall produce to the Notice Administrator a list, in electronic form, of all
7 email addresses associated with Users of Google Assistant on Google-Made Devices during the
8 period May 18, 2016 to December 16, 2022, based on a reasonable review of Google’s business
9 records (the “Email List”).

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

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

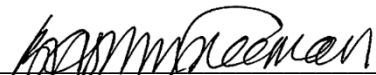
19 (5) Within 5 calendar days following the Exclusion Deadline, the Notice Administrator
20 shall submit a declaration setting forth its notification efforts and summarizing the Exclusion
21 Requests it received.

22 (6) Within 10 calendar days following the Exclusion Deadline, counsel for Plaintiffs
23 and the Class shall file all such Exclusion Requests with the Court.

24 (7) Subject to potential reimbursement, the costs of notice shall be borne by counsel
25 for Plaintiffs and the Class.

26 IT IS SO ORDERED.

27 Dated: February 9, 2024

28 
BETH LABSON FREEMAN
United States District Judge