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18
19 **UNITED STATES DISTRICT COURT**
NORTHERN DISTRICT OF CALIFORNIA
20 **SAN JOSE DIVISION**

21
22 **IN RE GOOGLE ASSISTANT PRIVACY**
LITIGATION

23
24 This Document Relates to:

25 **ALL ACTIONS**
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27
28

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Attorneys for Defendants

Case No.: 19-cv-04286-BLF

STIPULATION AND ~~PROPOSED~~
ORDER TO EXTEND CLASS NOTICE
DEADLINES

Judge: Hon. Beth L. Freeman

1 Pursuant to Civil Local Rule 6-1(b), Plaintiffs Asif Kumandan, Melissa Spurr, and Melissa
2 Spurr, as guardian of B.S., a minor, Lourdes Galvan, Eleeanna Galvan (“Plaintiffs”) and
3 Defendants Google LLC and Alphabet Inc. (“Google” and along with Plaintiffs, “Parties”), by and
4 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, on June 7, 2024, the Court most recently issued an Order extending
9 those deadlines pursuant to the Parties’ Stipulation and [Proposed] Order to Extend the Class
10 Notice Date & Related Deadlines, in which the Parties had jointly requested an extension of the
11 deadlines in the Class Notice Plan Order to facilitate their ongoing mediation efforts. ECF No. 428
12 (“Order Extending Class Notice Deadlines”).

13 3. WHEREAS, the Order Extending Class Notice Deadlines requires Google to
14 produce to the Notice Administrator a list of email addresses for the purpose of dissemination of
15 class notice (“Email List”) by **June 14, 2024** (“Email List Deadline”), and requires the Notice
16 Administrator to: (1) disseminate notice of this action to each email address included on the Email
17 List; (2) cause notice to be published in a press release; and (3) cause the long-form notice of
18 pendency of class action, relevant Court documents, procedural posture, and frequently asked
19 questions and answers to be posted to the case website (“Notice Program”) within 21 days of
20 receipt of the Email List, or by **July 5, 2024** (“Class Notice Date”). ECF No. 428.

21 4. WHEREAS, Google provided the Email List to the Notice Administrator on June
22 14, 2024;

23 5. WHEREAS, the Parties and Notice Administrator would benefit from additional
24 time to effectuate the Notice Program, in part due to the number of email addresses on the Email
25 List, as the Notice Administrator plans to send emails on a rolling basis over the course of several
26 weeks in order to maximize deliverability.

27 6. WHEREAS, the Parties have also been engaged in ongoing mediation efforts to
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1 resolve this litigation, including a remote mediation on February 27, 2024, and an in-person
2 mediation on May 20, 2024, before JAMS mediator, Hon. Jay C. Gandhi (Ret.).

3 7. WHEREAS, the Parties have continued their discussions following the mediation.

4 8. WHEREAS, it would be inefficient for class notice to be disseminated while the
5 Parties continue to attempt to resolve this litigation. If the case settles after class notice is
6 disseminated, a second notice to the settlement class would be required. This would be wasteful
7 and potentially confusing to members of the class. Thus, good cause exists to extend the Email
8 List Deadline, the Class Notice Date, and other related deadlines to avoid the duplicative expense
9 and confusion that two notices would cause.

10 9. WHEREAS, the last date to hear dispositive motions in this case is May 8, 2025
11 and a two-week jury trial is scheduled for September 22, 2025, and thus, this brief extension will
12 not conflict with the Court's current dispositive motion and trial deadlines;

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

16 1. By July 26, 2024, the Notice Administrator shall: (1) disseminate notice of this
17 action in accordance with the Schachter Declaration to each email address included on the Email
18 List; (2) cause notice to be published in a press release in accordance with the Schachter
19 Declaration; and (3) cause the long-form notice of pendency of class action (the "Notice"), relevant
20 Court documents, procedural posture, and frequently asked questions and answers to be posted to
21 the case website ("Class Notice Date").

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

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

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

3
4 **IT IS SO STIPULATED.**

5 Dated: June 20, 2024

6 **Respectfully Submitted**

7 By: s/ Erin Green Comite

By: s/ Sunita Bali

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9 **ATTESTATION**

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

12 s/ Erin Green Comite

13 Erin Green Comite
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~~PROPOSED~~ ORDER

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

1. By July 26, 2024, 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”).

2. 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”).

3. 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.

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

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: June 20, 2024



HON. BETH LABSON FREEMAN
UNITED STATES DISTRICT JUDGE