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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

ANIBAL RODRIGUEZ, JULIAN  
SANTIAGO, and SUSAN LYNN HARVEY  
individually and on behalf of all other  
similarly situated,

Plaintiffs,

v.

GOOGLE LLC,

Defendant.

Case No.: 3:20-cv-04688-RS

**DECLARATION OF RYAN SILA IN  
SUPPORT OF PLAINTIFFS' MOTION  
FOR FEES, COSTS, EXPENSES, AND  
SERVICE AWARDS**

Judge: Hon. Richard Seeborg  
Courtroom 3 – 17th Floor

**DECLARATION OF RYAN SILA**

I, Ryan Sila, declare as follows.

1. I am an associate with the law firm of Susman Godfrey L.L.P., with an office located at One Manhattan West, 50th Floor, New York, NY 10001. Susman Godfrey is counsel for Plaintiffs in the above-captioned action. I am an attorney at law duly licensed to practice before all courts of the State of New York and admitted *pro hac vice* for this case. Dkt. 232. Except as otherwise stated, I have personal knowledge of the matters set forth herein, and I would and would testify competently thereto if called upon to do so.<sup>1</sup>

2. In the above-captioned action, I have personally and closely worked with Ankura Consulting Group, LLC (“Ankura”); HKA Global, LLC (“Ankura”); and Dubin Research & Consulting (“DRC”); and Epiq Systems Class Action & Claims Solutions, Inc. (“Epiq”). Each firm and its staff were instrumental in the litigation of this matter and, in my view, provided value beyond their fees.

3. In this declaration, I will briefly address the costs and contributions of Ankura, HKA, and DRC.

4. I understand that in a concurrently filed declaration, Ryan McGee addresses Epiq’s costs and contributions to this litigation. I add only that in addition to collaborating with Epiq on issues relating to class notice, Class Counsel met and conferred with Google many times to discuss the notice program and make it more efficient. These included, but were not limited to, several meet-and-confers regarding whether and how Google would provide information regarding potential class members for purposes of class notice. I do not remember exactly how many meet-and-confers we held, but I estimate that there were more than a dozen.

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<sup>1</sup> I do not have personal knowledge of these firms’ billing practices. I understand, however, that each firm regularly tracked its hours and provided accurate invoices to Boies Schiller Flexner LLP, which managed the litigation fund and paid the amounts due.

1 **I. Ankura Consulting Group, LLC**

2 5. Plaintiffs retained Ankura to provide expertise regarding damages in this litigation.  
3 These services included consultation with a team of experts, as well as expert reports, declarations,  
4 and testimony offered by a testifying expert, Michael J. Lasinski.

5 6. Throughout this case, we worked with highly qualified experts employed by  
6 Ankura. These included Michael J. Lasinski, who I understand has consulted on the financial  
7 aspects of intellectual property in and out of the courtroom for more than 30 years. I understand  
8 that Mr. Lasinski has testified many times in depositions, arbitrations, and trials, and that he served  
9 as President of Licensing Executives Society International during the pendency of this case.  
10 Ankura stopped billing for Mr. Lasinski's time in May 2025 because Mr. Lasinski had left Ankura  
11 and joined HKA Global, LLC.

12 7. We also worked closely with other members of Ankura's staff. These individuals  
13 performed thousands of hours of consulting and preparatory work in this matter. Their  
14 contributions were integral to the investigation and presentation of damages-related issues, which  
15 were vigorously contested. Their work also defrayed costs because they billed their time at a lower  
16 rate than Mr. Lasinski.

17 8. The costs associated with Ankura's work totaled **\$1,768,762.02**. These costs relate  
18 to **4,633.4 hours** of work performed between September 2021 and January 2026. Ankura's work  
19 during each phase of the litigation is summarized in the following table:

20 **Table 1: Ankura Consulting Group**

Litigation Phase	Hours	Fees & Expenses
Preparation of Complaint (through July 2020)	0	\$0
Motion to Dismiss (Aug. 2020 – May 2021)	0	\$0
Fact Discovery (June 2021 – Oct. 2022)	585	\$187,691.00
Expert Discovery (Nov. 2022 – July 2023)	2,063.9	\$772,119.50
Class Certification (Aug. 2023 – Oct. 2023)	103.7	\$46,034.36
Notice & Summary Judgment (Nov. 2023 – July 2024)	81.5	\$31,386.50
Trial Preparation (Aug. 2024 – July 2025)	1,338.2	\$513,500.00
Trial (Aug. 2025 – Sep. 2025)	390.3	\$146,194.16
Post-Trial Proceedings (Oct. 2025 – Jan. 2026)	172.1	\$68,573.00
<b>Total</b>	<b>4,734.7</b>	<b>\$1,768,762.02</b>

1           9.       **Fact Discovery.** Ankura’s work on the case began during fact discovery. Ankura  
2 began analyzing potential methods of calculating Plaintiffs’ damages and Google’s unjust  
3 enrichment from its collection, saving, and use of (s)WAA-off app activity data. To do this, Ankura  
4 reviewed and analyzed information obtained during discovery. Ankura helped counsel to  
5 formulate and review discovery requests aimed at the disclosure of documents and information  
6 useful in the calculation of damages and unjust enrichment. Ankura also helped counsel to prepare  
7 for depositions of Google witnesses who may have knowledge about damages-related issues such  
8 as Google’s use and profit from the data at issue. Ankura made material contributions to counsel’s  
9 effort to build a factual record that includes information necessary to support calculations of  
10 damages and unjust enrichment.

11           10.       **Expert Discovery.** Ankura performed a tremendous amount of work during expert  
12 discovery. Ankura built models to calculate damages and unjust enrichment, reviewed the  
13 discovery record for information to input into those models, ran calculations reflected in more than  
14 60 schedules, and drafted an expert report explaining these models and the bases for them. Ankura  
15 also reviewed and analyzed rebuttal expert reports offered by Google’s experts. This work was of  
16 great assistance in counsel’s preparation for depositions of Google’s experts, including my  
17 deposition of Google’s principal damages expert, Christopher R. Knittel. During the expert  
18 discovery period, Mr. Lasinski also spent significant time preparing for his deposition and giving  
19 testimony. The other members of Ankura’s team spent many hours helping him to prepare. In  
20 addition, the Ankura team assisted with a few lingering fact discovery issues, including both  
21 depositions and document discovery, that were completed during this time period. Ankura’s work  
22 in this period resulted in damages models that withstood challenge and were presented to the jury,  
23 which ultimately returned a significant verdict in Plaintiffs’ favor.

24           11.       **Class Certification.** Ankura carried out important and appropriately limited work  
25 during briefing and argument of class certification. At this time, Google moved to exclude  
26 Mr. Lasinski’s damages and unjust enrichment opinions under Federal Rule of Evidence 702.  
27 Google also opposed class certification in part on the ground that Plaintiffs had not offered a  
28

1 sufficient method to calculate damages. Ankura analyzed Google's briefs and provided input on a  
2 response to Google's characterizations of Mr. Lasinski's models and opinions. Ankura also  
3 discussed and reviewed Plaintiffs' responses and helped counsel to prepare for argument on these  
4 issues. Plaintiffs defeated Google's motion to exclude Mr. Lasinski's opinions and won class  
5 certification in part due to Ankura's contributions.

6 12. **Notice & Summary Judgment.** Ankura also performed limited but important  
7 work while the parties carried out class notice and briefed summary judgment. In particular,  
8 Ankura prepared for anticipated updates to the damages calculations and models to account for the  
9 passage of time and changes to Google's recordkeeping practices.

10 13. **Trial Preparation.** Ankura completed immense work in preparation for trial. For  
11 instance, Ankura drafted supplemental expert reports updating Mr. Lasinski's damages models to  
12 cover the time periods after his initial report and before the end of the class period. This was  
13 particularly challenging because many of the documents Google provided did not match  
14 documents provided during fact and expert discovery. Ankura also reviewed supplemental rebuttal  
15 reports offered by Google's experts. As a result, Ankura spent significant time analyzing the new  
16 documents, helping counsel to formulate requests for additional documentation, and modifying the  
17 models as necessary to account for changes in Google's recordkeeping practices. Ankura also  
18 spent many hours preparing for anticipated trial testimony. This included analysis of documents,  
19 written discovery, deposition testimony, and expert reports. Ankura consulted with counsel on the  
20 anticipated subjects of Mr. Lasinski's direct examination, cross-examination, and re-direct  
21 examination. Ankura also consulted with counsel on cross-examination of Google's witnesses  
22 whose testimony was anticipated to relate to damages issues.

23 14. **Trial.** Ankura also played an important role at trial. Ankura's staff worked around  
24 the clock with both Mr. Lasinski, who by then was a partner at HKA, and counsel. Ankura staff  
25 attended trial. At trial, Ankura consulted with counsel and helped them respond in real-time to  
26 testimony relating to damages issues. I understand that other members of Ankura's team reviewed  
27 daily trial transcripts and provided input on damages-related testimony to develop. Ankura also  
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1 consulted with counsel on the preparation of opening and closing statements, trial demonstratives,  
2 and other damages-related issues. It would be an understatement to say that Ankura's contributions  
3 at trial were significant.

4 15. **Post-Trial Proceedings.** Finally, I understand that Ankura continued to provide  
5 substantial support to counsel during proceedings after the jury rendered its verdict, and in  
6 particular in connection with Plaintiffs' request for disgorgement. I understand that Ankura  
7 supported Mr. Lasinski with analyses relating to his declaration in support of Plaintiffs' request. I  
8 also understand that Ankura consulted with counsel in connection with its preparation of the  
9 briefing and argument on this issue.

## 10 II. HKA Global, LLC

11 16. HKA also provided expertise with respect to damages-related issues. The costs  
12 associated with HKA's work totaled **\$428,110.65**. These costs relate to **439.05 hours** of work  
13 between May 2025 and January 2026, the vast majority of which was performed by Mr. Lasinski.  
14 I understand that other HKA staff spent appropriately limited time help Mr. Lasinski prepare for  
15 his testimony. HKA's work during each phase of the litigation is summarized in the following  
16 table:

17 **Table 2: HKA Global, LLC**

18 <b>Litigation Phase</b>	18 <b>Hours</b>	18 <b>Fees &amp; Expenses</b>
19 Preparation of Complaint (through July 2020)	0	\$0
20 Motion to Dismiss (Aug. 2020 – May 2021)	0	\$0
21 Fact Discovery (June 2021 – Oct. 2022)	0	\$0
22 Expert Discovery (Nov. 2022 – July 2023)	0	\$0
23 Class Certification (Aug. 2023 – Oct. 2023)	0	\$0
24 Notice & Summary Judgment (Nov. 2023 – July 2024)	0	\$0
Trial Preparation (Aug. 2024 – July 2025)	184.75	\$158,441.59
Trial (Aug. 2025 – Sep. 2025)	198.05	\$208,740.28
Post-Trial Proceedings (Oct. 2025 – Jan. 2026)	56.25	\$60,928.78
<b>Total</b>	<b>439.05</b>	<b>\$428,110.65</b>

25 17. **Trial Preparation.** HKA began billing for Mr. Lasinski's time in May 2025, a few  
26 months before trial. Mr. Lasinski worked with counsel to prepare demonstratives to help the jury  
27 understand his models and opinions. Mr. Lasinski also spent significant time preparing for his  
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1 testimony. This included review of case materials including expert reports, deposition testimony,  
2 documents, and written discovery. Mr. Lasinski also consulted with counsel regarding topics to  
3 address during his testimony and anticipated topics of cross-examination. Mr. Lasinski was well  
4 prepared for his testimony, which was important at trial.

5 18. **Trial.** Mr. Lasinski devoted significant time and effort to this case during trial.  
6 Mr. Lasinski stayed in San Francisco for most of the trial and attended court on most trial days.  
7 He regularly consulted with counsel regarding development of the trial record on damages issues.  
8 He spent many hours reviewing and revising demonstratives and preparing for his trial testimony.  
9 Mr. Lasinski presented effective trial testimony, and the jury awarded a significant Plaintiffs'  
10 verdict.

### 11 **III. Dubin Research & Consulting, LLC**

12 19. Plaintiffs DRC to serve as jury consultants in this matter. DRC conducted focus  
13 groups, carried out a community attitudes survey, consulted on trial strategy, assisted with jury  
14 selection, and developed or provided input on demonstratives that were presented to the jury. DRC  
15 made significant contributions to Plaintiffs' presentation of the case at trial.

16 20. The costs associated with DRC's work totaled **\$1,693,163.13**. These costs relate to  
17 **2,891.35 hours** of work performed between June 2024 and September 2025. DRC's work during  
18 this litigation is summarized in the following table:

19 **Table 3: Dubin Research & Consulting, LLC**

Litigation Phase	Hours	Fees & Expenses
Preparation of Complaint (through July 2020)	0	\$0
Motion to Dismiss (Aug. 2020 – May 2021)	0	\$0
Fact Discovery (June 2021 – Oct. 2022)	0	\$0
Expert Discovery (Nov. 2022 – July 2023)	0	\$0
Class Certification (Aug. 2023 – Oct. 2023)	0	\$0
Notice & Summary Judgment (Nov. 2023 – July 2024)	39.3	\$26,251.50
Trial Preparation (Aug. 2024 – July 2025)	2,552.05	\$1,515,048.86
Trial (Aug. 2025 – Sep. 2025)	300	\$151,862.77
Post-Trial Proceedings (Oct. 2025 – Jan. 2026)	0	\$0
<b>Total</b>	<b>2,891.35</b>	<b>\$1,693,163.13</b>

