

**BOIES SCHILLER FLEXNER LLP**

David Boies (admitted pro hac vice)  
333 Main Street  
Armonk, NY 10504  
Tel.: (914) 749-8200  
dboies@bsflfp.com

Mark C. Mao, CA Bar No. 236165  
Beko Reblitz-Richardson, CA Bar No.  
238027  
44 Montgomery St., 41st Floor  
San Francisco, CA 94104  
Tel.: (415) 293-6800  
mmao@bsflfp.com  
brichardson@bsflfp.com

James Lee (admitted pro hac vice)  
Rossana Baeza (admitted pro hac vice)  
100 SE 2nd St., 28th Floor  
Miami, FL 33131  
Tel.: (305) 539-8400  
jlee@bsflfp.com  
rbaeza@bsflfp.com

Alison L. Anderson, CA Bar No. 275334  
M. Logan Wright, CA Bar No. 349004  
725 S Figueroa St., 31st Floor  
Los Angeles, CA 90017  
Tel.: (213) 995-5720  
alanderson@bsflfp.com  
mwright@bsflfp.com

**SUSMAN GODFREY L.L.P.**

Bill Carmody (admitted pro hac vice)  
Shawn J. Rabin (admitted pro hac vice)  
Steven M. Shepard (admitted pro hac vice)  
Alexander Frawley (admitted pro hac vice)  
Ryan Sila (admitted pro hac vice)  
One Manhattan West, 50<sup>th</sup> Floor  
New York, NY 10001  
Tel.: (212) 336-8330  
bcarmody@susmangodfrey.com  
srabin@susmangodfrey.com  
sshepard@susmangodfrey.com  
afrawley@susmangodfrey.com  
rsila@susmangodfrey.com

Amanda K. Bonn, CA Bar No. 270891  
1900 Avenue of the Stars, Suite 1400  
Los Angeles, CA 90067  
Tel.: (310) 789-3100  
abonn@susmangodfrey.com

**MORGAN & MORGAN**

John A. Yanchunis (admitted pro hac vice)  
Ryan J. McGee (admitted pro hac vice)  
Michael F. Ram, CA Bar No. 104805  
201 N Franklin Street, 7th Floor  
Tampa, FL 33602  
Tel.: (813) 223-5505  
jyanchunis@forthepeople.com  
rmcgee@forthepeople.com  
mram@forthepeople.com

**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 SUSAN HARVEY IN  
SUPPORT OF PLAINTIFFS' MOTION  
FOR FEES, COSTS, AND SERVICE  
AWARDS**

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

**DECLARATION OF SUSAN HARVEY**

Pursuant to 28 U.S.C. § 1746, I, Susan Harvey, hereby declare as follows:

1. My name is Susan Harvey. I am over eighteen years of age and am competent to testify to and have personal knowledge of the facts set forth herein.

2. I am one of the class representatives identified in the Court’s class certification order in this lawsuit against Google, LLC. (“Google”).

3. I provided a declaration in support of Plaintiffs’ motion for class certification (Dkt. 315-6), and I am now providing this declaration in support of the judgment achieved in this case.

4. I understand that the Court certified nationwide classes for monetary relief under Rule 23(b)(3) and injunctive relief under Rule 23(b)(2), and that after some post-certification briefing to clarify the scope of those classes, the Court ultimately certified the following classes for monetary relief under Rule 23(b)(3) for the invasion of privacy and intrusion upon seclusion claims:

Class 1: All “non-Enterprise” and “non-Unicorn” individuals who, during the period beginning July 1, 2016 and continuing through the present (the “Class Period”), (a) had their “Web & App Activity” and/or “supplemental Web & App Activity” setting turned off and (b) whose activity on a non-Google-branded mobile app was still transmitted to Google, from (c) a mobile device running the Android operating system, because of the Firebase Software Development Kit (“SDK”) and/or Google Mobile Ads SDK.

Class 2: All “non-Enterprise” and “non-Unicorn” individuals who, during the Class Period (a) had their “Web & App Activity” and/or “supplemental Web & App Activity” setting turned off and (b) whose activity on a non-Google-branded mobile app was still transmitted to Google, from (c) a mobile device running a non-Android operating system, because of the Firebase SDK and/or Google Mobile Ads SDK.

5. I also understand that the following classes were certified under Rule 23(b)(3) for the CDAFA claim, as well as under Rule 23(b)(2) for all claims:

Class 1 is the “Android Class” and consists of all individuals who, during the period beginning July 1, 2016 and continuing through September 23, 2024, (a) had their “Web & App Activity” and/or “Supplemental Web & App Activity” setting turned off and (b) whose activity on a non-Google-branded mobile app was still transmitted to Google, from (c) a mobile device running the Android operating system, because of the Firebase Software Development Kit (“SDK”) and/or Google Mobile Ads SDK.

Class 2 is the “Non-Android Class” and consists of all individuals who, during the period beginning July 1, 2016 and continuing through September 23, 2024, (a) had their “Web & App Activity” and/or “Supplemental Web & App Activity” setting turned off and (b)

1 whose activity on a non-Google-branded mobile app was still transmitted to Google, from  
2 (c) a mobile device running a non-Android operating system, because of the Firebase  
Software Development Kit (“SDK”) and/or Google Mobile Ads SDK.

3 6. As a named plaintiff and class representative in this action, I understand that I have  
4 a duty to protect the interests of the classes, and I have at all times acted consistent with that duty  
5 and for the benefit of the classes.

6 7. I am not aware of anything that has in any way limited my ability to adequately  
7 represent the interests of the classes and members of the classes or any interests that conflict in  
8 any way with the interests of the classes and members of the classes. I have not been promised  
9 any compensation for bringing this case or serving as a class representative.

10 8. I understand that I am a member of Class 1 for all claims because I turned WAA  
11 and sWAA off but Google still collected my (s)WAA-off Data on non-Google-branded mobile  
12 apps from my Android mobile devices. Although I thought that Google would not collect, save,  
13 or use any (s)WAA-off Data when I had turned off WAA and sWAA, I now know that Google  
14 still collects, saves, and uses my (s)WAA-off Data without my consent.

15 9. I have been and continue to be willing to do what is necessary to protect the  
16 interests of the members of the classes. I have retained lawyers who have experience in class  
17 action litigation. I have discussed this case with my lawyers on numerous occasions, and reviewed  
18 pleadings before they were filed.

19 10. I have responded to numerous written discovery requests from Google, including  
20 8 interrogatories, 41 requests for production, and 36 requests for admission which, cumulatively  
21 in this case, required many days of my attention and work to fulfill. This included working with  
22 my lawyers to identify potential sources, searching for and gathering potentially responsive  
23 documents, and reviewing and providing input on the responses to Google’s discovery requests.

24 11. My personal devices were also imaged so that account information, settings, and  
25 other data could be retrieved. I also allowed Google to pull information from my account that is  
26 sensitive and confidential to me, like my Google subscriber information. I also helped gather  
27 information from my device (with the help of my lawyers and experts) to submit to Google to help  
28

1 understand how Google’s collection, storage, and use of (s)WAA-off Data works.

2 12. I provided a full day of deposition testimony for this case on October 27, 2022. In  
3 preparation for that deposition, I met many times with my lawyers in the weeks and days leading  
4 up to the deposition, which was time I ordinarily would have spent on other professional or  
5 personal matters.

6 13. My participation in this case was difficult, including because the discovery efforts  
7 described above exposed parts of my life that I would have liked to keep private. However, I  
8 accepted that tradeoff for the privilege of representing these classes and seeking relief that holds  
9 Google accountable, and I am honored to have helped secure the relief provided by the judgement  
10 achieved after trial in this case.

11 14. I am familiar with the claims that have been asserted in the case and have remained  
12 apprised of the strategy employed in this litigation. I have remained committed to staying up to  
13 date on additional developments in this case by continuing to confer with my attorneys on a regular  
14 basis, including motions practice that occurred after the Court certified the classes. This included  
15 periodically meeting with my attorneys to discuss strategy for summary judgment and trial, as  
16 well as the mediation sessions that occurred in this case after the Court denied Google’s motion  
17 for summary judgment. My attorneys and I discussed the strategies, progress, and results of these  
18 motions and mediation sessions.

19 15. In August 2025, I traveled from Fresno, California to San Francisco, California to  
20 prepare for and attend trial. This was a difficult burden on my family and me because I had  
21 experienced three strokes during this litigation—the first only a month after my deposition. My  
22 doctors believed that the stress from this case, including my deposition, contributed to the first  
23 and subsequent strokes. These medical conditions required my doctor’s care, including  
24 monitoring and treatment, to reduce the likelihood of further strokes and to restore my health. Just  
25 being away from my home, my family, my puppy, and my friends caused me a great deal of stress.  
26 While I wanted to finally get my day in court and hold Google accountable, I did not seek clearance  
27 from my physicians to travel and testify at trial. After I arrived in San Francisco, it became  
28

