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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  
 others similarly situated,

Plaintiffs,

vs.

GOOGLE LLC,  
 Defendant.

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

**PLAINTIFFS' MOTION TO DIRECT  
 NOTICE TO MEMBERS OF THE  
 CERTIFIED CLASSES**

The Honorable Richard Seeborg  
 Courtroom 3 – 17th Floor  
 Date: April 30, 2026

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**PLEASE TAKE NOTICE** that, on Thursday, April 30, 2026 at 1:30 p.m., or as soon thereafter as may be heard, in Courtroom 3 of the above-entitled Court, located at 450 Golden Gate Avenue, 17th Floor, San Francisco, California 94102, Plaintiffs will and hereby do move this Honorable Court, pursuant to Federal Rule of Civil Procedure 23, for an order approving the form and methods of the proposed Fee Notice Plan, as detailed in this submission and the supporting declaration by Cameron R. Azari of Epiq Class Action and Claims Solutions, Inc. (formerly Hilsoft Notifications), the Court-appointed Class Notice Administrator. *See* Dkt. 405.

1 **INTRODUCTION**

2 Named Plaintiffs and undersigned Class Counsel respectfully move the Court for an order  
3 approving their proposed plan to notify class members of their forthcoming motion for attorneys’  
4 fees, expenses,<sup>1</sup> and service awards, to be paid out of the common fund that has been created by  
5 Named Plaintiffs’ and Class Counsel’s efforts in this litigation on behalf of the classes.

6 Federal Rule of Civil Procedure 23(h)(1) requires that notice of this forthcoming motion  
7 be “directed to class members in a reasonable manner.” The proposed notice plan, set forth in this  
8 Motion, satisfies that standard. Named Plaintiffs and Class Counsel modeled this proposal after  
9 the Court-approved process by which class members were previously notified of class certification  
10 and their right to opt out. The Court held that notice plan was reasonable and “the best notice that  
11 is practicable under the circumstances.” Dkt. 405 at 1 (quoting Fed. R. Civ. P. 23(c)(2)(B)). The  
12 same conclusion is warranted here.

13 Notice will begin promptly after the plan is approved by the Court and the motion for fees,  
14 expenses, and service awards (the “fee motion”) is filed with the Court. Those two events also  
15 trigger the deadlines for objections and the reply in further support of the fee motion. *See* Dkt. 726.

16 To finalize the briefing schedule, Named Plaintiffs and Class Counsel respectfully ask the  
17 Court to grant this Motion, and approve the notice plan, as soon as may be practicable.

18 **BACKGROUND**

19 Trial in this action concluded on September 3, 2025, when the jury rendered a verdict in  
20 the Plaintiff classes’ favor on two claims and awarded more than \$425 million in damages. Dkt.  
21 670. On March 2, 2026, the Court entered final judgment. Dkt. 725.

22 Class Counsel will soon file a motion asking this Court to award, out of the common fund,  
23 an award to them for attorneys’ fees and expenses; this motion will also ask the Court for service  
24 awards for the Named Plaintiffs. *See* Dkt. 726. As contemplated by the Federal Rules of Civil  
25

26  
27 \_\_\_\_\_  
28 <sup>1</sup> Plaintiffs have already filed a bill of costs. By referring to “expenses,” Plaintiffs mean all recoverable expenses and costs of litigation that are appropriately reimbursed from the common fund and are not separately reimbursed by Google as taxable costs.

1 Procedure, Class Counsel will notify class members of that motion, so that class members may, if  
2 they wish, object to the motion.

3 The instant motion seeks this Court’s approval of Class Counsel’s plan to notify class  
4 members of the forthcoming motion. Class Counsel’s proposed notice plan was designed by the  
5 Class Notice Administrator (Epiq Class Action & Claims Solutions, Inc.) in consultation with  
6 Class Counsel. The proposed notice plan closely resembles the notice plan that this Court  
7 previously approved for notifying class members of the Court’s order certifying the classes. *See*  
8 *Azari Decl.* ¶ 5; *see also* Dkt. 370 (motion to approve notice plan); Dkt. 395 (amended motion);  
9 Dkt. 405 (approval order approving notice plan); Dkt. 465 (Azari declaration confirming  
10 successful implementation of the notice to class members). Like that prior class-certification  
11 notice, the proposed notice plan will include the following components:

- 12 1. Direct email notice to email addresses associated with users who had (s)WAA  
13 turned off or “paused” during the class period;
- 14 2. Supplemental notice via publication, such as digital and social media ads;
- 15 3. Publication of the notice, fee motion, objection deadline, and other relevant  
16 information to the public case website;
- 17 4. A chatbot to answer frequently asked questions and provide additional information;  
18 and
- 19 5. A toll-free telephone number that will provide additional information.

20 *See Azari Decl.* ¶ 6; *see also* Dkt. 395 at 2. The Class Notice Administrator estimates that this  
21 process will cost approximately between \$725,000 and \$755,000. *Azari Decl.* ¶ 21. This is  
22 consistent with the cost incurred to notify class members of the Court’s order certifying the classes.

23 *Id.*

24 The forms of notice are attached as exhibits to the Azari declaration. *See Azari Decl.*  
25 Exs. 1-4. As reflected in those exhibits, the direct email notice (which will be posted on the  
26 website), website notice, and chatbot will inform class members of the amount of the judgment;  
27 the amounts that Class Counsel seeks for fees and expenses, and the amounts that Named Plaintiffs  
28 seek as service awards; and the deadline for objections. *See Azari Decl.* Exs. 1–3. Although that  
information cannot be fairly and effectively summarized in an internet advertisement or in a brief

1 automated phone message, the advertisements and telephone number will direct visitors to the case  
2 website. Azari Decl. ¶ 16; Azari Decl. Ex. 2. The pertinent information—including the fee motion  
3 and supporting documentation—will be posted on the website. *See* Azari Decl. ¶ 18; Azari Decl.  
4 Ex. 3.

5 The notice program will begin promptly after this Court rules on the instant Motion and  
6 after the motion for fees, expenses, and service awards is on file. Azari Decl. ¶ 20. The Class  
7 Notice Administrator estimates that the notice program will be concluded in approximately eight  
8 weeks. *Id.* The case schedule requires class members to file objections within 13 weeks of the later  
9 of (a) approval of the class notice plan; or (b) the filing of the motion for fees, expenses, and  
10 service awards. Dkt. 726. This means that class members will have at least five weeks to review  
11 the motion and object, should they decide that is warranted.

#### 12 LEGAL STANDARD

13 Federal Rule of Civil Procedure 23(h)(1) requires notice of class counsel’s motion for  
14 attorneys’ fees and nontaxable costs to be “directed to class members in a reasonable manner.”  
15 This is a different standard from those applicable to notice of class certification and settlements.  
16 *Compare* Fed. R. Civ. P. 23(c)(2)(B) (requiring courts to “direct to class members the best notice  
17 [of class certification] that is practicable under the circumstances, including individual notice to  
18 all members who can be identified through reasonable effort”); Fed. R. Civ. P. 23 advisory  
19 committee’s note (2003) (“Individual notice is appropriate, for example, if class members are  
20 required to take action—such as filing claims—to participate in the judgment, or if the court orders  
21 a settlement opt-out opportunity.”).

22 The analysis of a notice program under Rule 23(h)(1) is guided by a few principles. *First*,  
23 the requirements for the method and manner of fee notice may be less exacting than for notice of  
24 class certification or settlement but must always satisfy due process. *See* Fed. R. Civ. P. 23  
25 advisory committee’s note (2003) (“In adjudicated class actions, the court may calibrate the notice  
26 to avoid undue expense.”); *Zhang v. U.S.C.I.S.*, — F.R.D. —, 2025 WL 2760451, at \*8 (D.D.C.  
27 Sept. 29, 2025) (“Courts ... seem to agree that notice is required [under Rule 23(h)(1)], but not  
28 individual notice.”). *Second*, notice should apprise class members of the amount of fees, expenses,

1 and service awards sought by class counsel, as well as the deadline to file objections. *See In re*  
2 *Online DVD-Rental Antitrust Litig.*, 779 F.3d 934, 954 (9th Cir. 2015) (affirming approval of fee  
3 notice informing class members of the amount of fees sought and the objection deadline). *Third*,  
4 notice must allow enough time to give “objecting class members a full and fair opportunity to  
5 contest class counsel’s fee motion” before the objection deadline passes. *In re Mercury Interactive*  
6 *Corp. Secs. Litig.*, 618 F.3d 988, 993–95 (9th Cir. 2010).

## 7 ARGUMENT

8 The proposed notice plan amply satisfies the requirements of Rule 23(h)(1) and due  
9 process. Plaintiffs respectfully ask the Court to issue an approval order when practicable, which  
10 will set the briefing schedule and allow the notice process to begin.

11 The proposed manner and method of notice is “reasonably calculated, under all the  
12 circumstances, to apprise interested parties of the pendency of the [fee motion] and afford them  
13 the opportunity to present their objections.” *Eisen v. Carlisle & Jacquelin*, 417 U.S. 156, 174  
14 (1974). The Class Notice Administrator will send individualized notice to hundreds of millions of  
15 emails associated with accounts that had (s)WAA turned off during the class period, and will  
16 supplement with publication notice to reach class members whose email addresses may be  
17 unknown, inactive, or inaccessible. Azari Decl. ¶ 6. The pertinent information will also be made  
18 available on the public case website, through a chatbot capable of answering frequently asked  
19 questions, and at a toll-free telephone number. Azari Decl. ¶ 18. After class certification, the Court  
20 held that a materially identical notice process “complie[d] with Rule 23 and due process.”  
21 Dkt. 405. There is no reason to reach a different conclusion here.<sup>2</sup>

22 The proposed forms of notice also include—or, for the internet advertisements, link to—  
23 the information class members need to evaluate the fee motion and object, should they choose to  
24

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25 <sup>2</sup> To the contrary, the proposed notice program goes above and beyond the comparatively less  
26 demanding standards for fee notice. In this context, many courts have held that publication notice  
27 is sufficient: individualized notice is not required. *See, e.g., Zhang*, 2025 WL 2760451, at \*8; *In*  
28 *re MetLife Demutualization Litig.*, 689 F. Supp. 2d 297, 351 (E.D.N.Y. 2010); *Cobell v. Norton*,  
407 F. Supp. 2d 140, 147 (D.D.C. 2005) (approving fee notice via publication to hundreds of  
thousands of class members). Class Counsel nonetheless proposes individualized notice to make  
certain that class members have a meaningful opportunity to scrutinize the fee motion.

1 do so. *See Halley v. Honeywell Int'l, Inc.*, 861 F.3d 481, 500 (3d Cir. 2017) (“[N]otice to the class  
2 should contain sufficient information to enable class members to make informed decisions on  
3 whether they should take steps to object to the ... fees motion.” (citation omitted)). The Ninth  
4 Circuit has explained that fee notice is sufficient when it informs class members of the amount of  
5 the common fund; the amount or percentage sought in fees, expenses, and service awards sought  
6 to be paid from the fund; and the deadline to file an objection. *In re Online DVD-Rental Antitrust*  
7 *Litig.*, 779 F.3d at 954 (holding notice sufficient because it “informed [class members] that class  
8 counsel would be seeking fees in the amount of 25% of the total settlement fund of \$27,250,000”  
9 and “gave class members a clear deadline ... for filing an objection”); *see also Perkins v. Singh*,  
10 2021 WL 5085119, at (D. Or. Nov. 2, 2021) (holding that notice was adequate because it “advised  
11 the Members of [counsel’s] intent to seek attorney fees in the amount of one-third of the Fund and  
12 \$2,000 in accrued costs and reasonably anticipated administration expenses, and of Plaintiffs’  
13 intent to request \$2,500 as a service payment”). The proposed forms of notice include each of the  
14 required elements: They inform class members of the amount of the common fund; the amount  
15 sought in attorneys’ fees, expenses, and service awards; and the date by which class members must  
16 file objections, if any. *See Azari Decl. Exs. 1–3*. The notices also direct class members to the case  
17 website, where the Class Notice Administrator will post the fee motion and supporting  
18 documentation for class members’ review. *See id.*

19 Finally, the notice plan and case schedule afford class members sufficient time to formulate  
20 and lodge any objections. The case schedule requires objections to be filed no later than 13 weeks  
21 after the later of (a) approval of the notice plan or (b) the filing of the fees motion. Dkt. 726. The  
22 notice plan will begin promptly after the notice plan is approved and the fees motion is filed, and  
23 the Class Notice Administrator estimates that it will take approximately eight weeks. *Azari*  
24 *Decl.* ¶ 20. That means that class members will have approximately five weeks or more to review  
25 the fee motion and file any objections. This schedule is consistent with the Northern District of  
26 California’s Procedural Guidance for Class Action Settlements, which may be instructive even if  
27 not directly applicable. *See N.D. Cal. Procedural Guidance for Class Action Settlements:*  
28 *Preliminary Approval* § 9 (“The parties should ensure that class members have at least thirty-five

1 days to opt out or object to the settlement and the motion for attorney’s fees and costs.”). Other  
2 courts have approved schedules giving class members substantially less time to contest the fee  
3 motion. *See, e.g., In re Online DVD-Rental Antitrust Litig.*, 779 F.3d at 954 (approving schedule  
4 setting “the deadline for filing a fee motion fifteen days before the deadline for filing an  
5 objection”); *Perkins v. Singh*, 2021 WL 5085119, at \*2 (approving schedule because fee motion  
6 was filed “more than two weeks before the written objection deadline and nearly a month before  
7 the Hearing”).

8 **CONCLUSION**

9 For these reasons, Class Counsel and the Named Plaintiffs respectfully ask the Court to  
10 approve the fee notice plan as proposed in this motion and the attached declaration.

11  
12 Dated: March 23, 2026

Respectfully submitted,

13 By: /s/ Mark C. Mao

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

ANIBAL RODRIGUEZ, et al.,  
  
                    Plaintiffs,  
  
                    v.  
  
GOOGLE LLC,  
  
                    Defendant.

Case No.: 20-cv-04688-RS  
  
**DECLARATION OF CAMERON R. AZARI,  
ESQ. REGARDING FEE APPLICATION  
NOTICE PLAN**

I, Cameron R. Azari, Esq., declare as follows:

1. My name is Cameron R. Azari. The facts in this declaration are based on my personal knowledge, as well as information provided to me by my colleagues in the ordinary course of my business.
2. I am a nationally recognized expert in the field of legal notice, and I have served as an expert in hundreds of federal and state cases involving class action notice plans.
3. I am a Senior Vice President of Epiq Class Action & Claims Solutions, Inc. (“Epiq”) and the Managing Director of Epiq Legal Noticing (aka Hilsoft Notifications), a business unit of Epiq that specializes in designing, developing, analyzing, and implementing large-scale, un-biased, legal notification plan. Epiq recently rebranded Hilsoft Notifications as Epiq Legal Noticing. Epiq and Epiq Legal Noticing will hereinafter be referred to as “Epiq.”
4. On May 31, 2024, the Court in its *Order Granting Plaintiffs’ Motion to Direct Notice to the Certified Classes* appointed Hilsoft Notifications and myself as the class notice administrator. I have filed multiple declarations in this matter, which describe my experience and expertise and

1 provide other information about notice processes similar to the one proposed here. *See* Dkt. 370-1  
2 (Mar. 7, 2024) (regarding plan to notify class members of class certification); Dkt. 395-3 (Apr. 26,  
3 2024) (regarding amended plan to notify class members of class certification); and Dkt. 465 (Mar.  
4 20, 2025) (regarding successful completion of notification of class certification) (“Implementation  
5 Declaration”).

6 5. Class Counsel consulted with me to determine an appropriate plan to notify the  
7 certified Classes of Plaintiffs’ Fee Application. The Fee Application Notice Plan outlined below is  
8 designed to be consistent with the Court-approved Revised Class Notice Plan (“Class Certification  
9 Notice Plan”) approved and completed per this Court’s prior orders. As with the Notice Plan for  
10 Class Certification, the proposed notice effort here is extensive, with email notice to hundreds of  
11 millions of known Class Members and a robust supplemental media plan to reach potential Class  
12 Members for whom a valid email address is not available or the email address may not be deliverable.

#### 13 **FEE APPLICATION NOTICE PLAN**

14 6. The Fee Application Notice Plan will include: (1) direct notice via email to email  
15 accounts associated with users who had Web & App Activity (“WAA”) and/or supplemental Web &  
16 App Activity (“sWAA”) turned off or “paused” at any time during the Class Period (defined as any  
17 time between July 1, 2016 and September 23, 2024); (2) supplemental notice via a Media Plan that  
18 includes digital and social media notice, and sponsored search listings; (3) modifications to the  
19 existing public website ([www.GoogleWebAppActivityLawsuit.com](http://www.GoogleWebAppActivityLawsuit.com)), including the full Fee  
20 Application and relevant frequently asked questions and answers (“FAQs”); (4) an updated chatbot  
21 to answers FAQs from potential Class Members and provides additional information about this  
22 litigation; and (5) modifications to the recorded messaging at the existing toll-free telephone number.

#### 23 ***Individual Notice - Direct Email***

24 7. As detailed in my Implementation Declaration, email notice was successfully delivered  
25 to 343,940,177 identified Class Members who were sent a Class Certification Email Notice with the  
26 Class Certification Notice Plan. For the Fee Application Notice Plan, an Email Notice will be sent  
27 to each of these known, deliverable email addresses. In conducting the email notice efforts, Epiq will  
28 again follow industry standard best practices. The Email Notices will be drafted in such a way that

1 the subject line, the sender, and the body of the message, which will minimize the likelihood that  
2 SPAM filters will be applied and will ensure readership to the fullest extent reasonably practicable.  
3 For instance, the Email Notices will use an embedded html text format. This format provides easy-  
4 to-read text without graphics, tables, images, attachments, and other elements that increase the  
5 likelihood that the message could be blocked by Internet Service Providers (ISPs) and/or SPAM  
6 filters. Epiq will send the Email Notices from an IP address known to major email providers as one  
7 not used to send bulk “SPAM” or “junk” email blasts. Each Email Notice will be transmitted with a  
8 digital signature to the header and content of the Email Notice, which allows ISPs to  
9 programmatically authenticate that the Email Notices are from authorized mail servers. Each Email  
10 Notice will also be transmitted with a unique message identifier. If an Email Notice is returned as  
11 undeliverable, commonly referred to as a “bounce,” at least two additional attempts will be made to  
12 deliver the Notice by email.

13 8. The Email Notices will include an embedded link to the case website. By clicking the  
14 link, recipients will be able to easily access Class Counsels’ Fee Application and other filings and  
15 information about the litigation. Both the Email Notice and the website will also inform class  
16 members of their right to object to the Fee Application and provide information on how to do that.  
17 The proposed Email Notice is attached to this declaration as **Exhibit 1**.

#### 18 *Media Plan Summary*

19 9. The Media Plan includes various forms of notice including a digital/internet notice  
20 program (digital notice and social media) and internet sponsored search listings. The Media Plan  
21 uses many of the same online placements as the media plan implemented for providing notice of  
22 Class Certification.

#### 23 *Internet Digital Notice Campaign*

24 10. Digital Notices will be placed as targeted advertising on digital properties across all  
25 major content categories via an advertising network, which represents thousands of websites across  
26 the internet, including targeted in-email promotional ads. Digital Notices will include targeting in  
27 both English and Spanish to selected target audiences. All Digital Notices are designed to encourage  
28

1 engagement by Class Members—by linking directly to the case website, allowing visitors easy access  
2 to relevant information and documents.

### 3 ***Social Media Digital Internet Notice Campaign***

4 11. The Digital Notices will also be placed on the leading social media platforms in the  
5 United States, including *Facebook*, *Instagram*, *X (Twitter)*, and *Reddit*. The social media campaign  
6 will use an interest-based approach which focuses on the interests that users exhibit while on the  
7 social media platforms, capitalizing on the Target Audience’s propensity to engage in social media.  
8 According to MRI-Simmons<sup>1</sup> data, the Target Audience spends an average of 16.91 hours per week  
9 on social media.<sup>2</sup>

10 12. *Facebook* is the leading social networking site in the United States with 197 million  
11 users,<sup>3</sup> and *Instagram* has 181 million active users in the United States.<sup>4</sup> The Digital Notices on  
12 *Facebook* and *Instagram* will be in both English and Spanish.

13 13. *X (Twitter)* is a popular microblogging social media website that allows posts/tweets  
14 containing images or videos. Users can like, comment, and share/retweet posts. *X* has more than 99  
15 million users in the United States.<sup>5</sup>

16 14. *Reddit* is a widely used social forum website that contains more than one million  
17 communities known as subreddits. These communities cover specific topics making this an ideal  
18  
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20  
21 <sup>1</sup> MRI-Simmons is a leading source of publication readership and product usage data for the  
22 communications industry. MRI-Simmons is a joint venture of GfK Mediamark Research &  
23 Intelligence, LLC (“MRI”) and Simmons Market Research. MRI-Simmons offers comprehensive  
24 demographic, lifestyle, product usage and exposure to all forms of advertising media collected from  
25 a single sample. As the leading U.S. supplier of multimedia audience research, the company provides  
26 information to magazines, televisions, radio, internet, and other media, leading national advertisers,  
27 and over 450 advertising agencies—including 90 of the top 100 in the United States. MRI-  
28 Simmons’s national syndicated data is widely used by companies as the basis for the majority of the  
media and marketing plans that are written for advertised brands in the United States.

<sup>2</sup> MRI-Simmons 2025 Survey of the American Consumer®.

<sup>3</sup> Statista Digital 2025: Global Overview Report. Statista, founded in 2007, is a leading provider of  
worldwide market and consumer data and is trusted by thousands of companies around the world for data.  
Statista.com consolidates statistical data on over 80,000 topics from more than 22,500 sources and makes.

<sup>4</sup> Statista Digital 2025: Global Overview Report.

<sup>5</sup> Statista Digital 2025: Global Overview Report.

platform to reach individuals with focused interests. *Reddit* has approximately 52 million daily active users in the United States.<sup>6</sup>

15. More details regarding the targeting, distribution, and specific ad sizes of the Digital Notices are included in the following table.

<i>Digital Plan</i>	<i>Target</i>	<i>Language</i>	<i>Ad Sizes</i>	<i>Planned Impressions</i>
<i>Google Display Network</i>	Affinity Audience: <sup>7</sup> Gmail	English & Spanish	728x90, 300x250, 300x600 & 970x250	6,000,000
<i>Google Display Network</i>	Intent Audience: <sup>8</sup> Gmail	English & Spanish	728x90, 300x250, 300x600 & 970x250	6,000,000
<i>Google Display Network</i>	Affinity Audience: Google Chrome	English & Spanish	728x90, 300x250, 300x600 & 970x250	6,000,000
<i>Google Display Network</i>	Intent Audience: Google Chrome	English & Spanish	728x90, 300x250, 300x600 & 970x250	6,000,000
<i>Gmail.com Ads</i>	Adults 18+	English & Spanish	Promotional Ads	10,000,000
<i>Facebook</i>	Interest: Gmail	English & Spanish	Newsfeed & Right Hand Column	7,500,000
<i>Facebook</i>	Interest: Chrome Browser	English & Spanish	Newsfeed & Right Hand Column	7,500,000
<i>Facebook</i>	Interest: Android (OS)	English & Spanish	Newsfeed & Right Hand Column	7,500,000
<i>Instagram</i>	Interest: Gmail	English & Spanish	Newsfeed	5,000,000
<i>Instagram</i>	Interest: Chrome Browser	English & Spanish	Newsfeed	5,000,000
<i>Instagram</i>	Interest: Android (OS)	English & Spanish	Newsfeed	5,000,000
<i>Reddit</i>	/r/Gmail	English	Reddit Feed Ads	2,500,000
<i>Reddit</i>	/r/Chrome	English	Reddit Feed Ads	2,500,000
<i>Reddit</i>	/r/Android	English	Reddit Feed Ads	2,500,000
<i>X (Twitter)</i>	Interest: Gmail	English	Twitter Feed Ads	2,500,000
<i>X (Twitter)</i>	Interest: Chrome Browser	English	Twitter Feed Ads	2,500,000

<sup>6</sup> Statista Digital 2025: Global Overview Report.

<sup>7</sup> “Custom Affinity Audience” allows us to target specific websites, keywords, and/or relevant content that our target may be viewing.

<sup>8</sup> “Custom Intent Audience” allows us to target people that are researching or purchasing certain items on the web.

<i>Digital Plan</i>	<i>Target</i>	<i>Language</i>	<i>Ad Sizes</i>	<i>Planned Impressions</i>
<i>X (Twitter)</i>	Interest: Android (OS)	English	Twitter Feed Ads	2,500,000
<b>TOTAL</b>				<b>86,500,000</b>

16. Combined, approximately 86.5 million impressions will be generated by the Digital Notices nationwide. The internet advertising campaign will run for approximately six weeks. Clicking on the Digital Notices will link the readers to the case website, where they can easily obtain detailed information about the case. An example of the proposed Digital Notices is included as **Exhibit 2**.

#### *Sponsored Search Listings*

17. To facilitate locating the case website, sponsored search listings will be acquired on the three most highly visited internet search engines in the United States. When visitors to these search engines searched for selected keyword combinations related to the case, the sponsored search listing advertisement created for this case was displayed. Generally, the sponsored search listing advertisement appeared at the top of the visitor's website page prior to the search results or in the upper right-hand column of the web-browser screen. The sponsored search listings were displayed nationwide. All sponsored search listings linked directly to the case website.

#### *Case Website*

18. On September 11, 2024, Epiq established the case website with an easy-to-remember domain name (www.GoogleWebAppActivityLawsuit.com). The public case website will be updated with information about the current status of the litigation. Class Counsel's Fee Application will be included on the Documents page. The FAQs will be updated as needed to provide information on the current status of the litigation and regarding the Fee Application, including a Class Member's right to object and how they can make an objection. The proposed updates to the Case Website and FAQs are included as **Exhibit 3**.

#### *Toll-Free Telephone Number*

19. On September 11, 2024, Epiq established a toll-free telephone number (1-855-822-8821) to allow Class Members to call and obtain additional information in English or Spanish. The automated

1 telephone system continues to be available 24 hours per day, 7 days per week. The recorded messages  
2 and FAQs will be updated consistent with the changes made to the case website. The proposed updates  
3 to the recorded messages and FAQs are included as **Exhibit 4**.

4 *Notice Timing*

5 20. Since Epiq was the Notice Administrator for the Class Certification Notice Plan, Epiq has  
6 the email addresses for the Classes and is prepared to implement the Fee Application Notice Plan upon  
7 Court approval. The notice process will begin promptly after both (1) the court approves the Notice Plan;  
8 and (2) the Fee Motion is on file. Because of the sheer volume of emails that need to be sent, we anticipate  
9 the notice process will take about eight weeks to implement.

10 *Notice Plan Estimated Costs*

11 21. Based on reasonable assumptions and the current scope of notice administration, the  
12 estimated cost to implement the Fee Application Notice Plan is estimated to be between \$725,000 and  
13 \$755,000 (this is not a minimum or a cap). This approximate cost encompasses emailed notice,  
14 undeliverable tracking, media notice, website and toll-free telephone support, and associated project  
15 management. The estimated cost to implement the Fee Application Notice Plan is consistent with the  
16 cost associated with providing notice for the Class Certification Notice Plan (not including costs  
17 associated with handling the voluminous amounts of data files provided by Google that were ingested,  
18 analyzed, and loaded prior to sending Class Certification Notice). All costs are subject to the Service  
19 Contract under which Epiq is retained, and the terms and conditions of that agreement.

20 **CONCLUSION**

21 22. Based on my extensive experience of designing and implementing class action notice  
22 programs, it is my opinion that the Fee Application Notice Plan will provide appropriate and  
23 reasonable notice under Rules 23(d)(1)(B) and 23(h)(1) to the Classes of Class Counsels' Fee  
24 Application.

25 I declare under penalty of perjury that the foregoing is true and correct. Executed on March,  
26 20, 2026.

27 

28 \_\_\_\_\_  
Cameron R. Azari, Esq.

# Exhibit 1

FROM: EMAIL ADDRESS

TO: EMAIL ADDRESS

RE: COURT ORDER NOTICE OF CLASS ACTION

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA

## **Notice to Class Members who had Google “Web & App Activity” control or the “Supplemental Web & App Activity” sub-setting turned off or “paused” of Class Counsel’s Fee Application**

Para una notificación en Español, visitar [www.GoogleWebAppActivityLawsuit.com](http://www.GoogleWebAppActivityLawsuit.com).

*A federal Court authorized this Notice. This is not a solicitation from a lawyer.*

**What is this notice about?** On September 3, 2025, after a federal trial, the jury concluded that Google unlawfully collected information from certain users of smartphones and tablets who claimed they asked Google not to track their activity on mobile apps. The jury awarded a verdict of over \$425 million in damages to two certified Classes. The Court entered a judgment, which requires Google to pay the Classes the amount of the jury’s verdict plus interest. As of March 2, 2026, the verdict plus interest totals \$440,345,685.40. Interest continues to accrue on that amount. However, Google has asked the Court to vacate the judgment, meaning disregard the jury verdict. Google may also appeal the judgment. There is no money available now, but Court rules require Class Counsel to make a formal request for their fees (their “Fee Application”), should compensation be awarded. This notice is to inform Class Members of the Fee Application and their opportunity to object to it.

**What was the lawsuit about?** Three Google account holders (“Plaintiffs”) filed a class action lawsuit alleging that Google LLC (“Google”) unlawfully accessed their devices and data, including app activity data on their mobile devices, even though the Google activity controls called Web & App Activity (“WAA”) and/or a sub-setting concerning “Chrome history and activity from sites, apps, and devices that use Google services,” sometimes called supplemental Web & App Activity (“sWAA”) were turned off or “paused.” Plaintiffs alleged Google unlawfully accessed their mobile devices to collect, save, and use the data concerning their activity on non-Google apps that have incorporated certain Google software code into the apps. Plaintiffs have three legal claims: 1) invasion of privacy; 2) intrusion upon seclusion (similar to invasion of privacy); and 3) violation of the Comprehensive Computer Data Access and Fraud Act (“CDAFA”). The jury ruled that Google is liable for invasion of privacy and intrusion upon seclusion, but not for violation of the CDAFA.

**You are receiving this Notice because Google's records indicate that you may be a Class Member.** You were previously sent notice of the Court’s certification of the Classes in this lawsuit in the fall of 2024. This Notice advises you of the jury verdict and judgment that were reached in the lawsuit, Class Counsel’s Fee Application, your rights and options at this time, and the deadline to exercise them.

**Who is a Class Member?** The Court certified two classes to assert claims for invasion of privacy and intrusion upon seclusion. These classes include the following individuals:

**Class 1 (the Android Class):** All “non-Enterprise” and “non-Unicorn” 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 the Google Mobile Ads SDK.

**Class 2 (the Non-Android Class):** All “non-Enterprise” and “non-Unicorn” 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 a non-Android operating system, because of the Firebase SDK and/or Google Mobile Ads SDK.

“Enterprise individuals” refers to individuals who only have an “Enterprise” Google Account. An “Enterprise” Google Account is an account managed by an administrator that is designed for end users within an organization, such as businesses, non-profits, and schools. Individuals who have an “Enterprise” Google Account are not part of the certified Classes that claimed invasion of privacy and intrusion upon seclusion unless they also have another Google Account.

“Unicorn individuals” refers to individuals who only have a “Unicorn” Google Account, which is also known as a “supervised Google Account for users under age 13.” A “supervised Google account for users under age 13” is an account created for a minor when they are under the age of 13, and which is created and supervised by a parent using Google Family Link. Individuals who have a “Unicorn” Google Account are not part of the certified Classes that claimed invasion of privacy and intrusion upon seclusion unless they also have another Google Account.

**What was the verdict?** The jury found Google liable to Class Members who use Android devices (“Class 1”) and to Class Members who use non-Android devices (“Class 2”) for invasion of privacy and intrusion upon seclusion. The jury awarded a total of \$425,651,947, of which \$247,154,157 is due to Class 1 (Android users) and \$178,497,790 is due to Class 2 (non-Android users). These amounts will continue accruing interest as required by law. The jury found Google not liable for violation of the CDAFA. For more information about the verdict, you can visit the Case Website and read the jury’s verdict and related motions filed by both Google and the Plaintiffs.

**Does the verdict mean money is available now?** No money will be distributed at this time. While the jury did award a verdict, Google has asked the Court to vacate the judgment, meaning disregard the jury verdict. Google also may appeal. Class Counsel will continue to pursue the lawsuit against Google. If money or benefits become available at a later date, you will be notified and given instructions on how to make a claim.

**What is a Fee Application?** In a class action lawsuit like this, the Court decides the amount that Class Counsel will be paid for their work. When a jury awards compensation with a verdict in a class action, the Court requires that Class Counsel make a formal application for the fees Class Counsel believes it should be paid for their work in the lawsuit. Class Counsel must also request reimbursement for any costs and expenses incurred in bringing the lawsuit (such as the cost of expert witnesses and for providing notice to the Classes) and for service awards to the individual plaintiffs who represented class members and took part in the lawsuit. Individual Class Members are given an opportunity to review Class Counsel’s fee application and object to any part of it. The Court considers Class Counsel’s application and any objections, and the Court decides how much Class Counsel will be paid, how much they will be reimbursed, and what service awards will be granted to the class representatives.

**What does the Fee Application Say?** Class Counsel is requesting (1) attorneys’ fees equal to \_\_% of the judgment, including both the jury’s verdict award and interest, which continues to accrue until Google’s challenges to the judgment are resolved; (2) \$\_\_\_ to reimburse costs and expenses incurred by Class Counsel; and (3) a total of \$\_\_\_ for service awards for the three class representatives. Class Counsel’s Fee Application states their justification for each of these requests. The Court must approve the Fee Application and may award less than these amounts. You can review the Fee Application at the Case Website, [www.GoogleWebAppActivityLawsuit.com](http://www.GoogleWebAppActivityLawsuit.com) by clicking [here](#). These amounts will be paid from the compensation ultimately awarded in this case, if any. These amounts will not be paid until after the Court rules on Google’s request to disregard the jury verdict and, if Google also chooses to appeal, after the Court rules on that appeal. You do not have to pay for Class Counsel or any of their fees and costs.

**Who are Class Counsel?** The Court has appointed the following lawyers as Class Counsel to represent Class Members.

Mark C. Mao  
 Beko Reblitz-Richardson  
 BOIES SCHILLER FLEXNER LLP  
 44 Montgomery St., 41<sup>st</sup> Floor  
 San Francisco, CA 94104

John A. Yanchunis  
 Ryan J. McGee  
 MORGAN & MORGAN  
 201 N. Franklin Street, 7<sup>th</sup> Floor  
 Tampa, FL 33602

Bill Carmody  
 SUSMAN GODFREY LLP  
 One Manhattan West  
 50th Floor  
 New York, NY 10001

James Lee  
 BOIES SCHILLER FLEXNER LLP  
 100 SE 2<sup>nd</sup> St., 28<sup>th</sup> Floor  
 Miami, FL 33131

Amanda Bonn  
 SUSMAN GODFREY LLP  
 1900 Ave. of the Stars, Suite 1400  
 Los Angeles, CA 90067

**How do I object to the Fee Application?** To object, you must file a written objection with the Court. Your objection must state that you object to the Fee Application in *Rodriguez v. Google*, Case No. 3:20-CV-4688-RS and must include the following information:

- 1) Your full name, mailing address, telephone number, and email address;
- 2) The reasons for your objection, and any legal support for your objection from you or your lawyer;
- 3) The name of all lawyers hired to represent you for the objection (if any). This includes any former or current lawyers who may be paid for any reason regarding your objection; and
- 4) Your signature as the objector. A lawyer’s signature is not adequate.

You must file your written objection with the Court so it is **received by Month DD, 20YY**. You must also send your objection to Class Counsel and the Notice Administrator, via US Mail or shipped by private courier (such as Federal Express) so it is **received by Month DD, 20YY**, to the following addresses:

<b>Court</b>	Clerk of the Court United States District Court Northern District of California Phillip Burton Federal Building 450 Golden Gate Avenue San Francisco, CA 94102
<b>Class Counsel</b>	Mark C. Mao Beko Reblitz-Richardson BOIES SCHILLER FLEXNER LLP 44 Montgomery St., 41 <sup>st</sup> Floor San Francisco, CA 94104
<b>Notice Administrator</b>	Notice Administrator PO Box 2749 Portland, OR 97208-2749

**How do I get more information?** Learn more about the lawsuit at [www.GoogleWebAppActivityLawsuit.com](http://www.GoogleWebAppActivityLawsuit.com) or call 1-xxx-xxx-xxxx.

You may also obtain information regarding the lawsuit on the Court docket in this lawsuit, for a fee, through the Court’s Public Access to Court Electronic Records (PACER) system at <https://ecf.cand.uscourts.gov>, or by visiting the office of the Clerk of the Court for the United States District Court for the Northern District of California, Phillip Burton Federal Building & United States Courthouse, 450 Golden Gate Avenue, San Francisco, CA 94102, between 9:00 a.m. and 4:00 p.m., Monday through Friday, excluding Court holidays.

**PLEASE DO NOT TELEPHONE THE COURT OR THE COURT CLERK’S OFFICE TO INQUIRE ABOUT THIS LAWSUIT. ALL QUESTIONS SHOULD BE DIRECTED TO THE NOTICE ADMINISTRATOR OR CLASS COUNSEL.**

# Exhibit 2

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*Rodriguez et al. v. Google LLC*  
**Banner Advertisement**

---

**Display Banner (300x250) #1**

Frame 1 (on screen for 3 seconds):



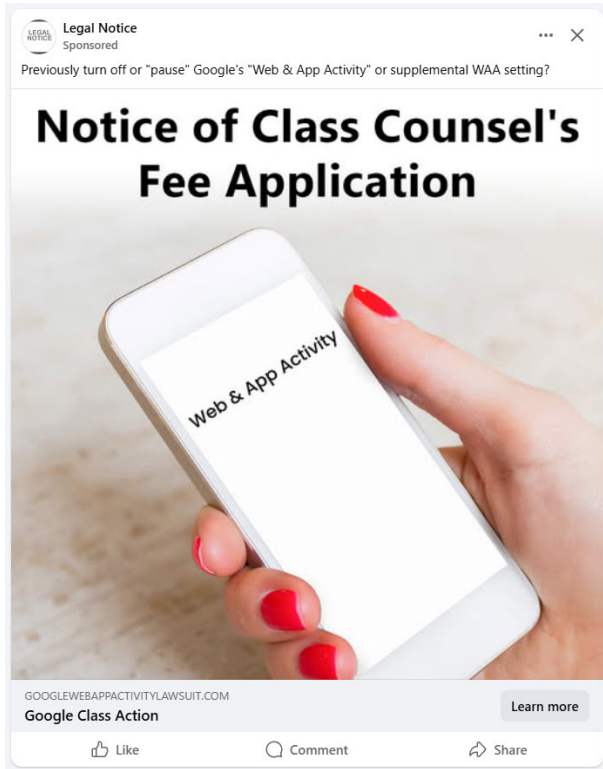
Frame 2 (on screen for 7 seconds):



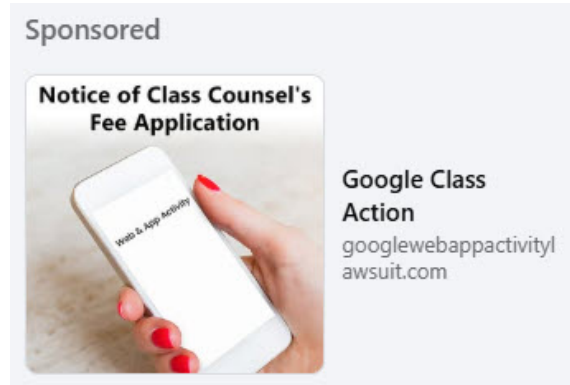
Frame 3 (on screen for 5 seconds):



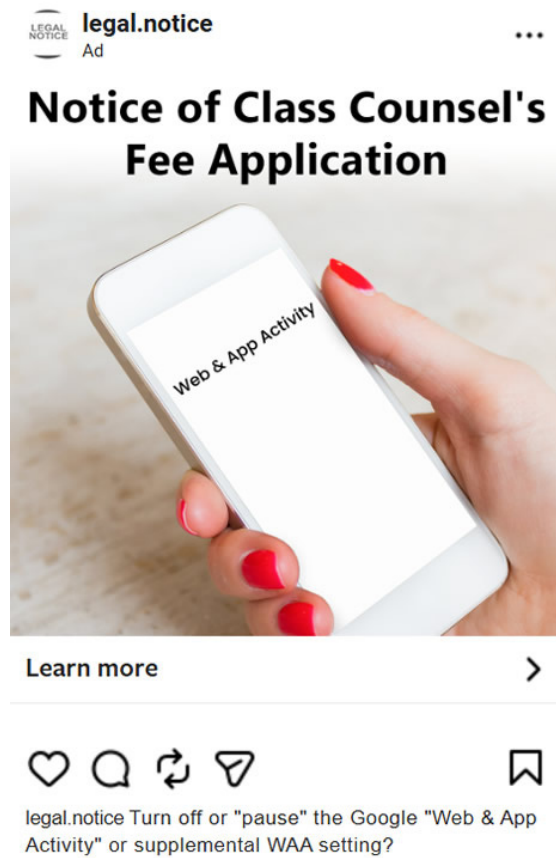
**Facebook Newsfeed Ad #1**  
(Static)



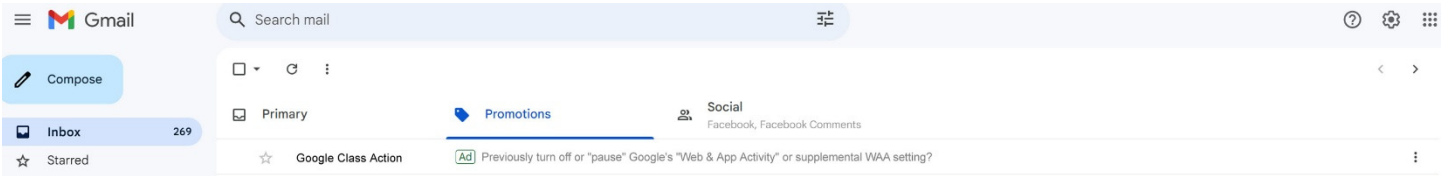
**Facebook Right Hand Column Ad #1**  
(Static)



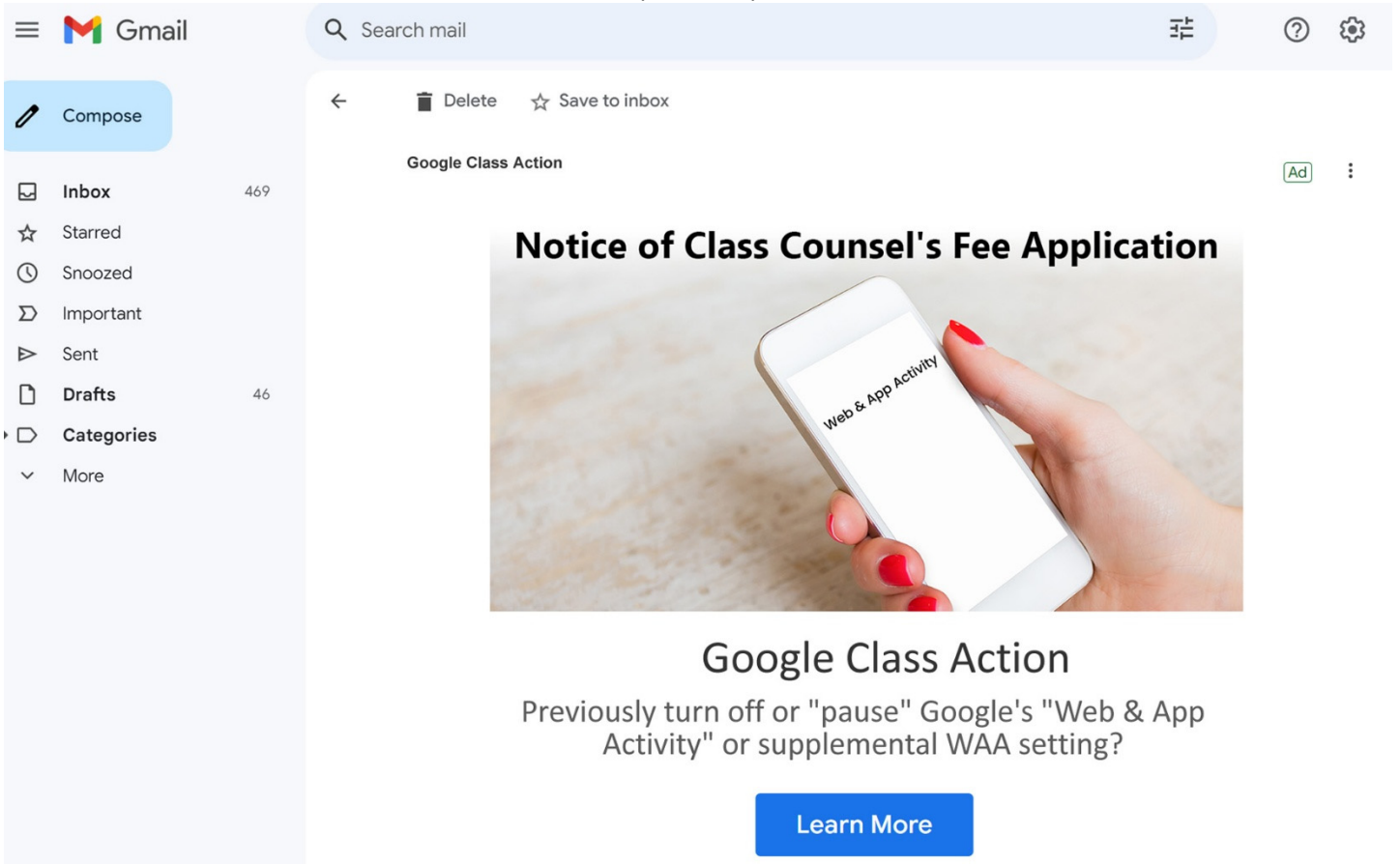
**Instagram Newsfeed Ad #1**  
(Static)



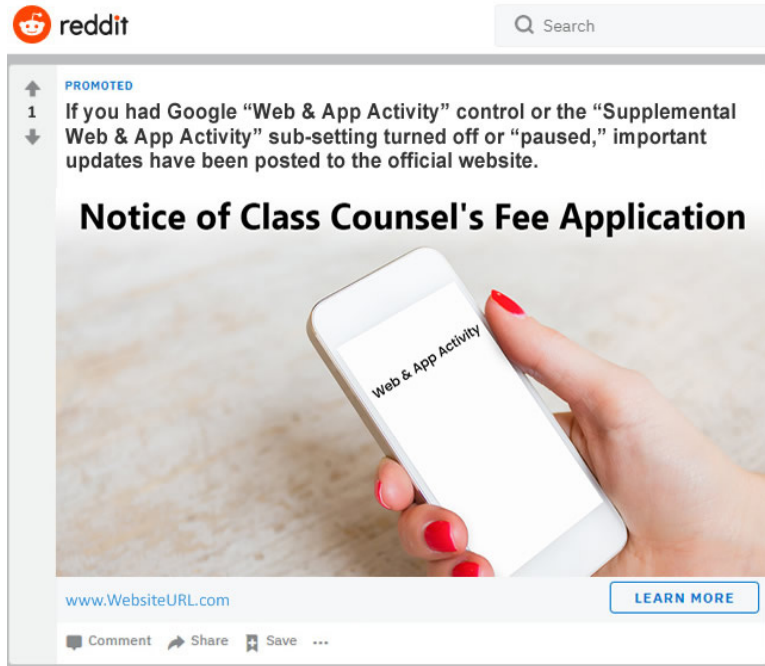
### Gmail.com Promotional Ad #1 (Pre-Click)



### (On-Click)

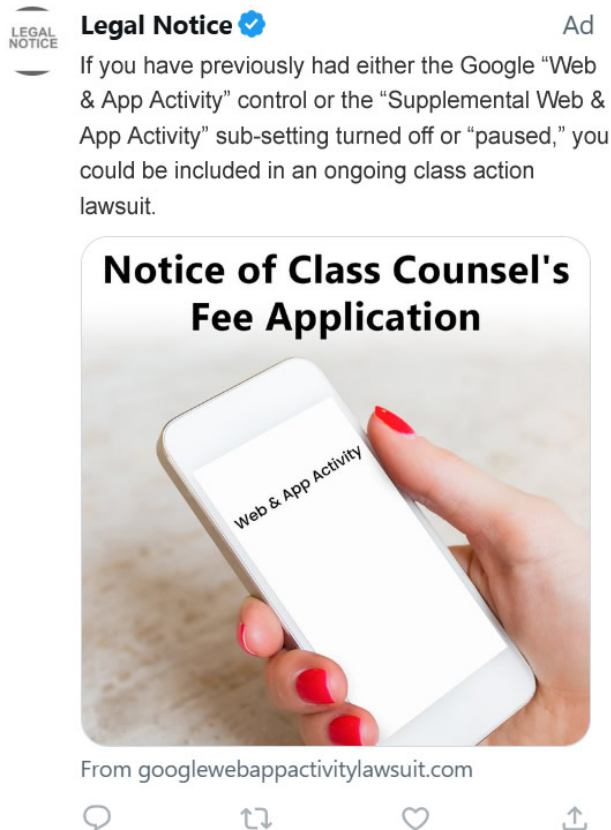


**Reddit Feed Ad #1**  
(Static)



The image shows a screenshot of a Reddit feed advertisement. At the top left is the Reddit logo and the word "reddit". To the right is a search bar with a magnifying glass icon and the text "Search". Below the header, there is a "PROMOTED" label with an upward arrow icon. The main text of the ad reads: "1 If you had Google 'Web & App Activity' control or the 'Supplemental Web & App Activity' sub-setting turned off or 'paused,' important updates have been posted to the official website." Below this text is a large image of a hand holding a white smartphone. The phone's screen displays the text "Web & App Activity". Underneath the image, there is a URL "www.WebsiteURL.com" and a blue button labeled "LEARN MORE". At the bottom of the ad, there are icons for "Comment", "Share", and "Save", followed by three dots.

**X (Twitter) Feed Ad #1**  
(Static)



The image shows a screenshot of an X (Twitter) feed advertisement. On the left is a profile picture of a person with the text "LEGAL NOTICE" below it. To the right of the profile picture is the name "Legal Notice" with a blue verification checkmark. Further right is the word "Ad". The main text of the ad reads: "If you have previously had either the Google 'Web & App Activity' control or the 'Supplemental Web & App Activity' sub-setting turned off or 'paused,' you could be included in an ongoing class action lawsuit." Below this text is a large image of a hand holding a white smartphone. The phone's screen displays the text "Web & App Activity". Underneath the image, there is the URL "From googlewebappactivitylawsuit.com". At the bottom of the ad, there are icons for a comment bubble, a retweet symbol, a heart symbol, and a share symbol.

**Display Banner (300x250) #2**

Frame 1 (on screen for 3 seconds):



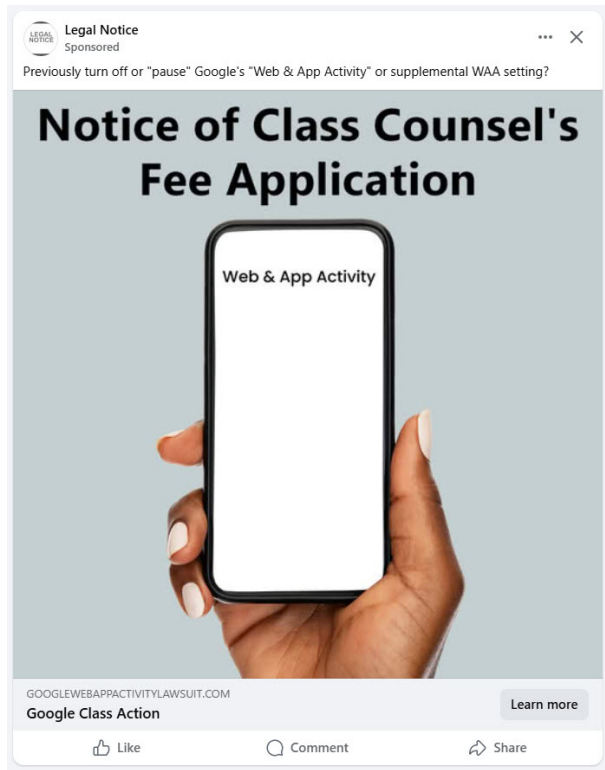
Frame 2 (on screen for 7 seconds):



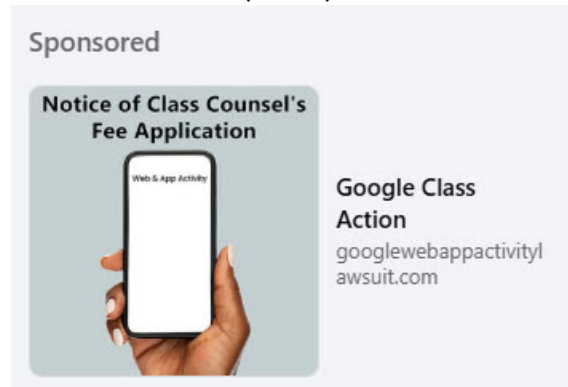
Frame 3 (on screen for 5 seconds):



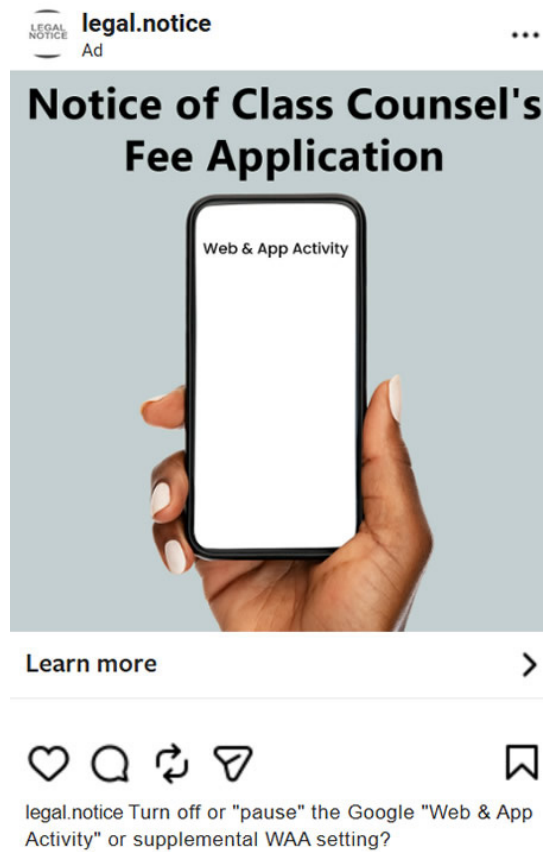
**Facebook Newsfeed Ad #2**  
(Static)



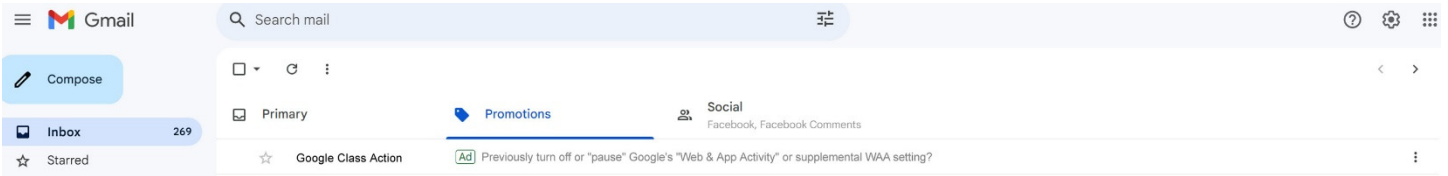
**Facebook Right Hand Column Ad #2**  
(Static)



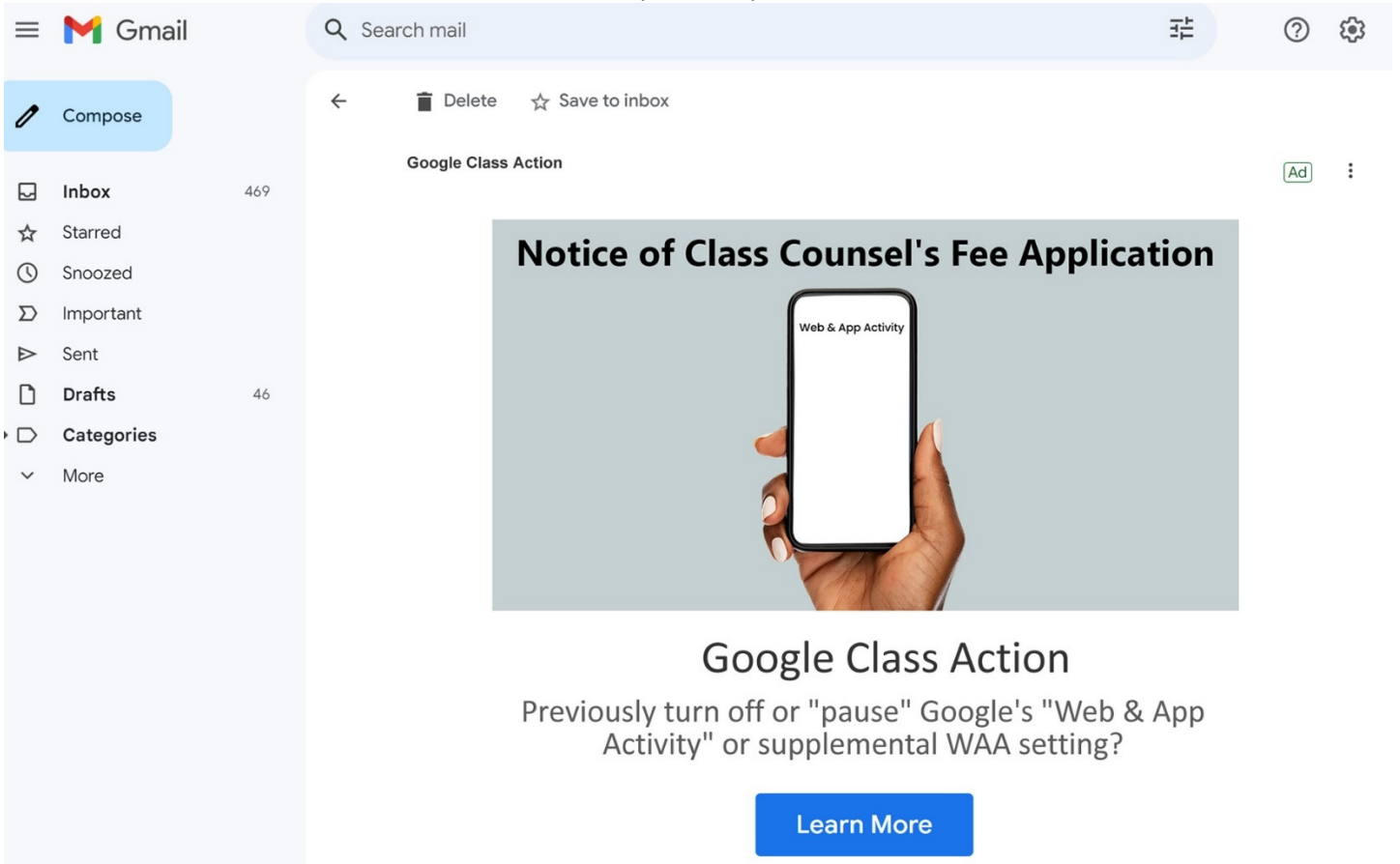
**Instagram Newsfeed Ad #2**  
(Static)



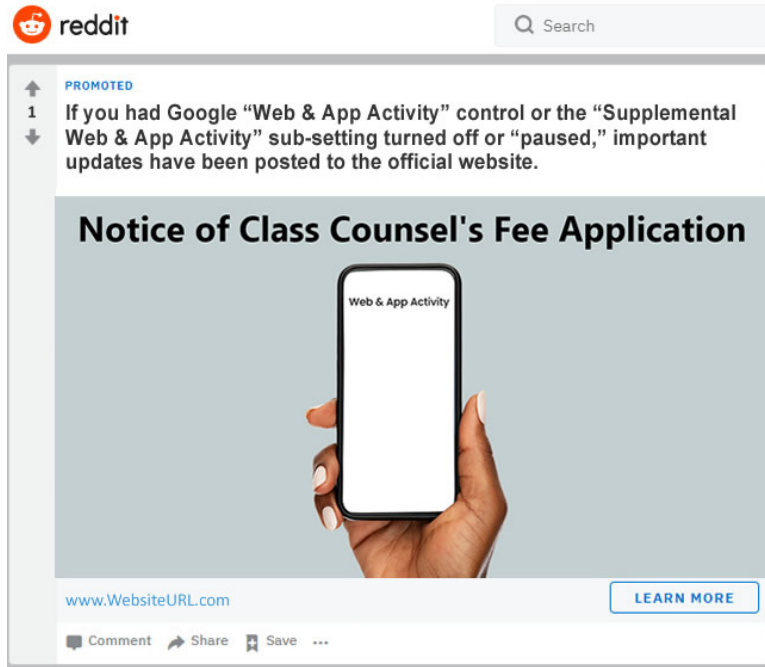
### Gmail.com Promotional Ad #2 (Pre-Click)



### (On-Click)

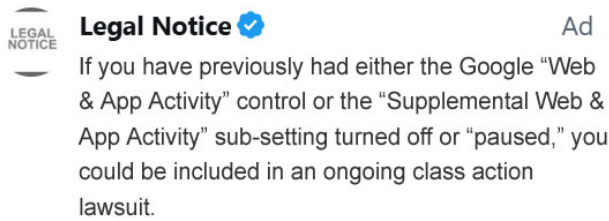


**Reddit Feed Ad #2**  
(Static)




The image shows a screenshot of a Reddit feed advertisement. At the top left is the Reddit logo and the word "reddit". To the right is a search bar with a magnifying glass icon and the word "Search". Below the header, there is a "PROMOTED" label. The main text of the ad reads: "1 If you had Google 'Web & App Activity' control or the 'Supplemental Web & App Activity' sub-setting turned off or 'paused,' important updates have been posted to the official website." Below this text is a large image with a light blue background. The image shows a hand holding a smartphone. The phone screen is white and displays the text "Web & App Activity". Above the phone, the text "Notice of Class Counsel's Fee Application" is written in bold black font. At the bottom of the image area, there is a URL "www.WebsiteURL.com" and a blue button that says "LEARN MORE". Below the image area, there are icons for "Comment", "Share", and "Save", followed by three dots.

**X (Twitter) Feed Ad #2**  
(Static)



The image shows a screenshot of an X (Twitter) feed advertisement. On the left is a profile picture of a person with a blue checkmark, and the name "LEGAL NOTICE" is written below it. To the right of the profile picture is the text "Legal Notice" with a blue checkmark. Further to the right is the word "Ad". Below the profile information, the main text of the ad reads: "If you have previously had either the Google 'Web & App Activity' control or the 'Supplemental Web & App Activity' sub-setting turned off or 'paused,' you could be included in an ongoing class action lawsuit."



The image is a large rectangular graphic with a light blue background. At the top, the text "Notice of Class Counsel's Fee Application" is written in bold black font. Below the text is a hand holding a smartphone. The phone screen is white and displays the text "Web & App Activity".

From [googlewebappactivitylawsuit.com](http://googlewebappactivitylawsuit.com)



# Exhibit 3

## Basic Information

### 1. What is this lawsuit about?

Plaintiffs in this lawsuit sued Google alleging that when someone turned off or “paused” Google’s Web & App Activity setting and/or supplemental Web & App Activity setting, Google lacked permission to collect, save, and use the data concerning their activity on non-Google apps that have incorporated certain Google software code into the apps (such as Uber, Venmo, TikTok, Instagram, Facebook, WhatsApp, etc.). Plaintiffs allege that regardless of whether Class Members had these settings paused or turned off, Google collected app activity data using certain code embedded within many non-Google apps. This embedded code includes the Firebase Software Development Kit and the Google Mobile Ads Software Development Kit, which are written and distributed by Google and placed on apps by third party developers who own the apps. Plaintiffs allege Google used this code to unlawfully access their devices and collect, save, and use data from their activity on non-Google apps for Google’s own benefit. [Google denies Plaintiffs’ legal claims.](#)

Moved (insertion) [1]

### 2. What is the status of this case?

[On September 3, 2025, after a federal trial, the jury concluded that Google unlawfully collected information from certain users of smartphones and tablets who claimed they asked Google not to track their activity on mobile apps. The jury awarded a verdict of over \\$425 million in damages to two certified Classes. The Court entered a judgment, which requires Google to pay the Classes the amount of the jury’s verdict plus interest.](#)

[However, Google has asked the Court to vacate the judgment, meaning disregard the jury verdict. Google may also appeal the judgment.](#)

[Class Counsel has asked the Court to award fees for their work in this case. Class Members have the right to object to this request. The Court will decide Class Counsel’s compensation. Class Counsel’s fees will be paid from the compensation ultimately awarded in this case, if any. These amounts will not be paid until after the Court rules on Google’s request to disregard the jury verdict and, if Google also chooses to appeal, after the Court rules on that appeal.](#)

[There is no money or benefits available now. If money or benefits become available at a later date, Potential Class Members will be notified and given instructions on how to make a claim.](#)

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**3. Why was the 2024 Class Certification Notice issued?**

A federal court authorized the Class Certification Notice because Class Members have a right to know about their legal rights. The Notice only advises you of the existence of this lawsuit, your rights and options, and the deadlines to exercise them if you are a Class Member.

Chief Judge Richard Seeborg of the United States District Court for the Northern District of California is overseeing this lawsuit, known as *Rodriguez et al. v. Google LLC*, Case No. 20-cv-4688-RS (N.D. Cal.), and has determined that legal claims against Google for invasion of privacy, intrusion upon seclusion, and violation of the California Comprehensive Computer Data Access and Fraud Act, Cal. Penal Code § 502, can proceed as a class action. Judge Seeborg "certified" two nationwide Classes: Class 1 and Class 2 (together the "Classes") and you may be a Class Member.

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**4. Why was the 2026 Fee Application Notice issued?**

On September 3, 2025, after a federal trial, the jury concluded that Google unlawfully collected information from certain users of smartphones and tablets who claimed they asked Google not to track their activity on mobile apps. The jury awarded a verdict of over \$425 million in damages to two certified Classes.

The Court entered a judgment, which requires Google to pay the Classes the amount of the jury's verdict plus interest. As of March 2, 2026, the verdict plus interest totals \$440,345,685.40. Interest continues to accrue on that amount. However, Google has asked the Court to vacate the judgment, meaning disregard the jury verdict. Google may also appeal the judgment.

There is no money available now, but Court rules require Class Counsel to make a formal request for their fees (their "Fee Application"), should compensation be awarded. The notice is to inform Class Members of the Fee Application and their opportunity to object to it.

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**5. What is a class action and who is involved?**

In a class action lawsuit, one or more people called "Class Representatives"—in this lawsuit four Class Representatives—sue on behalf of other people who have similar legal

Moved up [1]: Google denies Plaintiffs' legal claims.

Deleted: The Court has not decided who is right.¶

Moved (insertion) [2]

claims. All of these people are “Class Members” and together form a “Class” or “Classes.” One court resolves the lawsuit for all class members, except for those who exclude themselves. The Class Representatives who sued—and all the Class Members like them—are called Plaintiffs. The entity they sued (in this lawsuit, Google) is called the defendant.

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**6. Are there any money or benefits available now?**

No money ~~will be distributed at this time. While the jury did award a verdict, Google has asked the Court to vacate the judgment, meaning disregard the jury verdict. Google also may appeal. Class Counsel will continue to pursue the lawsuit against Google. If~~ money or benefits become available ~~at a later date, Potential Class Members will be notified and given instructions on how to make a claim.~~

- Deleted:** or benefits are available now. The Court has not decided whether
- Deleted:** did anything wrong, and Plaintiffs and
- Deleted:** have not settled
- Deleted:** . There is no guarantee money or benefits will be obtained in the future. You will be notified if

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**Who is a Class Member**

**7. Am I part of this class action lawsuit?**

You are a Class Member if you meet one or more of the definitions below, as certified by the Court:

**Comprehensive Computer Data Access and Fraud Act (“CDAFA”)**

For the alleged violation of the CDAFA, the Court certified the following classes:

**Class 1:** 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:** 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 a non-Android operating system, because of the Firebase SDK and/or Google Mobile Ads SDK.

**Invasion of Privacy and Intrusion Upon Seclusion**

For the alleged invasion of privacy and intrusion upon seclusion legal claims, the Court certified the same Class 1 and Class 2 but **excluded** individuals who only have an

“Enterprise” account or “supervised Google Account for users under age 13” (also known as a “Unicorn” account). An “Enterprise” account is an account managed by an administrator that is designed for use by end users within an organization, such as businesses, non-profits, and schools. A “supervised Google Account for users under age 13” is an account created for a minor when they are under the age of 13, which is created and supervised by a parent using Google Family Link.

**Class 1:** All “non-Enterprise” and “non-Unicorn” individuals who, during the period beginning July 1, 2016 and continuing 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:** All “non-Enterprise” and “non-Unicorn” 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 a non-Android operating system, because of the Firebase SDK and/or Google Mobile Ads SDK.

Individuals who signed up for an account type other than an Enterprise or supervised Google Account for users under age 13 could be included for all three legal claims. These individuals could be Class Members for **both** the invasion of privacy and intrusion upon seclusion classes and the CDAFA classes.

If you are a child for whom a supervised Google Account for users under age 13 was created, please discuss this Notice with your parent or guardian to help you decide whether you may be a Class Member. If you are a parent or guardian supervising a Google Account for users under age 13, and if Google’s records indicate your child may be a Class Member, you will receive a separate Notice. Please review that Notice with your child to help them decide whether they may be a Class Member.

It is possible for you to be a Class Member of one or more of these certified classes.

#### **Back To Top**

- 8. Are Enterprise and supervised Google Accounts for users under age 13 included in the Classes for the legal claims for invasion of privacy and intrusion upon seclusion?**

No. Although these accounts may have been eligible to be included in the Classes certified for these legal claims, the Court later granted Google's request to exclude Enterprise accounts and supervised Google Accounts for users under age 13 from the invasion of privacy and intrusion upon seclusion Classes. Enterprise and supervised Google Accounts for users under age 13 are still included in the Classes certified for violations of the CDAFA.

The Court has determined that those individuals cannot be a part of the existing Classes for the legal claims for alleged violations of invasion of privacy and intrusion upon seclusion. You may hire your own lawyer at your expense if you decide to pursue your own lawsuit.

**Deleted:** The Court has not decided whether individuals with Enterprise accounts or supervised Google Accounts for users under age 13 have valid legal claims for alleged violations for invasion of privacy and intrusion upon seclusion. However, it...

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**9. How do I know if my Web & App Activity and/or supplemental Web & App Activity settings were turned off between July 1, 2016, and September 23, 2024?**

Based on Google's records, individual Notice is being sent directly to available email addresses for individuals whose Google Web & App Activity and/or supplemental Web & App Activity settings were turned off or "paused" at least once between July 1, 2016, and September 23, 2024.

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**10. Are there exceptions to the persons or entities included as Class Members?**

Yes. Certain individuals and entities are excluded from the Classes. These include:

- o The Court (including Chief Judge Richard Seeborg, Magistrate Judge Alex G. Tse, and their family members);
- o Google, its subsidiaries, parents, predecessors, successors, and assigns, including any entity in which they have a controlling interest, as well as these entities' officers, directors, employees, affiliates, and legal representatives;
- o People whose legal claims in this matter have already been finally adjudicated on the merits or otherwise released, meaning decided by a court or settled;
- o Plaintiffs' counsel, Class Counsel, and Google's counsel;
- o All persons and entities who submitted a timely and valid request to opt out of the lawsuit; and
- o The legal representatives, successors, and assigns of any of the above excluded individuals and entities.

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**11. If I am still not sure if I am a Class Member, who should I contact?**

If you're still not sure whether you are a Class Member, please review this website, call the Notice Administrator toll-free at 1-855-822-8821, or write to: *Rodriguez v Google*, P.O. Box 2749, Portland, OR 97208-2749

**Back To Top**

**Your Rights and Options**

**12. What happens if I do nothing at all?**

You do not have to do anything to remain a Class Member. If Plaintiffs obtain money or benefits from this lawsuit, you may receive a payment or benefits in the future. Potential Class Members will be notified and given instructions on how to make a claim, should money or benefits become available.

If you did not submit a timely request to exclude yourself from the litigation, you are legally bound by all Court orders and judgments regarding the legal claims in this lawsuit and have no right to bring or maintain a separate lawsuit against Google for the legal claims alleged in this lawsuit.

**Back To Top**

**Excluding Yourself from the Lawsuit**

**13. How do I ask to be excluded?**

The deadline to exclude yourself from the litigation has passed. You must have mailed your exclusion request postmarked by February 20, 2025.

If you timely asked to be excluded, you are not legally bound by anything that happens in this lawsuit. You may be able to sue (or continue to sue) Google in the future regarding the legal claims in this lawsuit.

If you did not submit a timely request to exclude yourself from the litigation, you are legally bound by all Court orders and judgments regarding the legal claims in this lawsuit and have no right to bring or maintain a separate lawsuit against Google for the legal claims alleged in this lawsuit.

**Back To Top**

**The Fee Application**

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- Deleted: . You will lose the
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- Moved up [2]: Back To Top¶
- Moved up [3]: <#>Back To Top¶
- Deleted: <#>What happens if I ask to be excluded?¶  
If you exclude yourself (or “opt out”) from the Class or Classes, you will not receive any money or benefits as a result of a trial or settlement. If you exclude yourself, you will not be legally bound by the Court’s orders and judgments in this lawsuit and you may pursue your own lawsuit against Google for legal claims in this lawsuit. You may hire your own lawyer at your expense if you decide to pursue your own lawsuit. If you exclude yourself so you can start or continue your own lawsuit against Google, you should talk to your own lawyer soon, because your legal claims may be subject to filing deadlines.¶
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- Deleted: , you must send a written request by mail stating that you want to be excluded
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- Deleted: include your name, address, telephone number, email address, and your signature. You must mail
- Deleted: , to:
- Deleted: *Rodriguez v. Google Exclusions*  
P.O. Box 2749  
Portland, OR 97208-2749¶  
You cannot exclude yourself on the phone or by email. To exclude yourself, you must do so individually and separately; no consolidated, group, or mass requests for exclusion will be accepted.¶
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#### **14. What is a Fee Application?**

In a class action lawsuit like this, the Court decides the amount that Class Counsel will be paid for their work. A fee application is a formal application that Class Counsel makes to the Court, which states the amount that Class Counsel believes it should be paid for their work in the lawsuit. The fee application includes Class Counsel's requests for fees, for reimbursement of costs and expenses incurred in bringing the lawsuit, and for service awards for the individual plaintiffs who represented class members and took part in the lawsuit. Individual Class Members may review Class Counsel's fee application and object to any part of it. The Court will consider the fee application and any objections, and will decide how much Class Counsel will receive.

#### **15. What does the Fee Application in this case say?**

Class Counsel is requesting:

- 1) \_\_\_\_\_ Attorneys' fees equal to \_\_\_\_\_ % of the judgment, including both the jury's verdict award and interest, which continues to accrue until Google's challenges to the judgment are resolved;
- 2) \_\_\_\_\_ \$ \_\_\_\_\_ to reimburse costs and expenses incurred by Class Counsel in this lawsuit; and
- 3) \_\_\_\_\_ A total of \$ \_\_\_\_\_ for service awards for the three class representatives.

Class Counsel's Fee Application states their justification for each of these requests. You can review the Fee Application by clicking [here](#).

#### **16. How do I object to the Fee Application?**

To object, you must file a written objection with the Court. Your objection must state that you object to the Fee Application in *Rodriguez v. Google*, Case No. 3:20-CV-4688-RS and must include the following information:

- 1) \_\_\_\_\_ Your full name, mailing address, telephone number, and email address;
- 2) \_\_\_\_\_ The reasons for your objection, and any legal support for your objection from you or your lawyer;
- 3) \_\_\_\_\_ The name of all lawyers hired to represent you for the objection (if any). This includes any former or current lawyers who may be paid for any reason regarding your objection; and
- 4) \_\_\_\_\_ Your signature as the objector. A lawyer's signature is not adequate.

You must file your written objection with the Court so it is **received by Month DD, 20YY**. You must also send your objection to Class Counsel and the Notice Administrator, via US Mail or shipped by private courier (such as Federal Express) so it is **received by Month DD, 20YY**, to the following addresses:

<u>Court</u>	Clerk of the Court United States District Court Northern District of California Phillip Burton Federal Building 450 Golden Gate Avenue San Francisco, CA 94102
<u>Class Counsel</u>	Mark C. Mao Beko Reblitz-Richardson BOIES SCHILLER FLEXNER LLP 44 Montgomery St., 41 <sup>st</sup> Floor San Francisco, CA 94104
<u>Notice Administrator</u>	Rodriguez v. Google Notice Administrator PO Box 2749 Portland, OR 97208-2749

**The Lawyers Representing You**

**17. Do I have a lawyer in this lawsuit?**

Yes. The Court has appointed the following lawyers as Class Counsel to represent Class Members. If you have questions, you can reach Class Counsel by calling 1-888-884-5720 or by sending an email to: [ClassCounsel@GoogleWebAppActivityLawsuit.com](mailto:ClassCounsel@GoogleWebAppActivityLawsuit.com).

Mark C. Mao  
 Beko Reblitz-Richardson  
 BOIES SCHILLER FLEXNER LLP  
 44 Montgomery St., 41st Floor  
 San Francisco, CA 94104

James Lee  
 BOIES SCHILLER FLEXNER LLP  
 100 SE 2nd St., 28th Floor  
 Miami, FL 33131

John A. Yanchunis  
 Ryan J. McGee  
 MORGAN & MORGAN

201 N. Franklin Street, 7th Floor  
Tampa, FL 33602

Bill Carmody  
SUSMAN GODFREY LLP  
1301 Avenue of the Americas  
32nd Floor  
New York, NY 10019

Amanda Bonn  
SUSMAN GODFREY LLP  
1900 Ave. of the Stars, Suite 1400  
Los Angeles, California 90067

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**18. How will the lawyers be paid?**

Court rules require Class Counsel to make a formal request for their fees (their “Fee Application”), should compensation be awarded. The recent Fee Application Notice is to inform Class Members of the Fee Application and their opportunity to object to it. If the Court grants Class Counsel’s request, the attorneys’ fees and expenses will either be deducted from any money obtained for the Class Members or paid separately by Google. These amounts will not be paid until after the Court rules on Google’s request to disregard the jury verdict and, if Google chooses to appeal, after the Court rules on that appeal.

**Deleted:** If there is a judgment against Google or a settlement in the future, Class Counsel will ask the Court to approve and award attorneys’ fees and expenses. The amount of these attorneys’ fees and expenses will ultimately be determined by the Court. You will not have to personally pay the attorneys’ fees and expenses.

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**19. Are the Class Representatives paid?**

Class Counsel has asked for service awards for the Class Representatives. Class Counsel has asked that two Class Representatives receive a service award of \$TK each, and a third Class Representative receive an award of \$TK. The service awards would be in addition to Class Representatives’ rights as Class Members to receive a portion of the money or benefit resulting from any such judgment or settlement. You have the right to object to these requests and may do so by filing a written objection with the Court as described above. The amount of these awards, if any, will ultimately be determined by the Court.

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**20. Should I get my own lawyer?**

You have the right to hire and appear through your own lawyer, but you do not have to do so. Class Counsel is working on behalf of all Class Members as a whole. If you hire your own lawyer, you will have to pay for your lawyer on your own.

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**21. What if I already have my own lawyer?**

If you have already hired your own lawyer, you should contact your lawyer directly with any questions as to whether [the litigation Notices apply](#) to you and how to proceed.

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**Getting More Information**

**22. Where do I get more information?**

[The Class Certification](#) Notice summarizes the Court's decision to certify the lawsuit as a class action.

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[The Fee Application Notice summarizes Class Counsel's request for their fees to be paid, should compensation be awarded.](#)

Key dates and important documents related to the lawsuit can be found on this website.

For additional assistance, please contact the Notice Administrator by calling, toll-free, 1-855-822-8821, or writing to *Rodriguez v. Google* [Notice Administrator](#), P.O. Box 2749, Portland, OR 97208-2749. If you want to communicate with Class Counsel, you may contact them directly. Contact information for Class Counsel is provided in [FAQ 13](#). You may also hire your own lawyer at your own expense.

You may also obtain information regarding the lawsuit on the Court docket in this lawsuit, for a fee, through the Court's Public Access to Court Electronic Records (PACER) system at <https://ecf.cand.uscourts.gov> or by visiting the office of the Clerk of the Court for the United States District Court for the Northern District of California, Phillip Burton Federal Building & United States Courthouse, 450 Golden Gate Avenue, San Francisco, CA 94102, between 9:00 a.m. and 4:00 p.m., Monday through Friday, excluding Court holidays.

PLEASE DO NOT TELEPHONE THE COURT OR THE COURT CLERK'S OFFICE TO INQUIRE ABOUT THIS LAWSUIT. **ALL QUESTIONS SHOULD BE DIRECTED TO THE NOTICE ADMINISTRATOR OR CLASS COUNSEL.**

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# Exhibit 4



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**Case Name: Rodriguez et al v Google LLC**

**Toll Free: 1-855-822-8821**

**Launch Date: 7/5/24**

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**Greeting Message**

Thank you for calling the *Rodriguez et al. v. Google LLC* Lawsuit administration line. Para escuchar en Español, presione nueve. [Translates to: "To listen in Spanish, press 9."]

The lawsuit alleges that Google LLC unlawfully accessed account holder devices and data, including app activity data on their mobile devices, even though they turned off or "paused" Google activity controls called "Web & App Activity" or the supplemental Web & App Activity sub-setting. Google denies any wrongdoing. **The lawsuit is ongoing and there is no money or benefits available to Class Members now.**

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For more information, you can listen to recorded answers to frequently asked questions and visit the website at [www.GoogleWebAppActivityLawsuit.com](http://www.GoogleWebAppActivityLawsuit.com).

**Main Menu**

To hear more information in the form of frequently asked questions and answers, please **press 1**. To replay this message, press the pound key.

**Press 1 Message from Main Menu (FAQs) – (Maximum of 9 FAQs)**

Please listen carefully to the following categories. You may make your selection at any time; press the star key to return to the main menu, or simply hang up to disconnect.

To hear more information about this Lawsuit, please **press 1**.

**To hear more information about the status of this Lawsuit, please press 2.**

-  
For information about who can participate in this Lawsuit, please **press 3**.

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To learn about what benefits are available in the Lawsuit, please **press 4**.

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To hear more information about how to know if you turned off Web & App Activity, please **press 5**.

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To find out your Rights and Options, please **press 6**.

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To find out how you can **object to the Fee Filing**, please **press 7**.

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To hear who represents the Class, please **press 8**.

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**FAQ 1 (More Information About This Lawsuit)**

Plaintiffs in this lawsuit sued Google alleging that when someone turned off or “paused” Google’s Web & App Activity setting and/or supplemental Web & App Activity setting, Google lacked permission to collect, save, and use the data concerning their activity on non-Google apps that have incorporated certain Google software code into the apps (such as Uber, Venmo, TikTok, Instagram, Facebook, WhatsApp, etc.).

Plaintiffs allege that regardless of whether Class Members had these settings paused or turned off, Google collected app activity data using certain code embedded within many non-Google apps. This embedded code includes the Firebase Software Development Kit and the Google Mobile Ads Software Development Kit, which are written and distributed by Google and placed on apps by third party developers who own the apps.

Plaintiffs allege Google used this code to unlawfully access their devices and collect, save, and use data from their activity on non-Google apps for Google’s own benefit.

Google denies Plaintiffs’ legal claims and does not admit to any wrongdoing.

**FAQ 2 (More Information About the Status of This Lawsuit)**

On September 3, 2025, after a federal trial, the jury concluded that Google unlawfully collected information from certain users of smartphones and tablets who claimed they asked Google not to track their activity on mobile apps. The jury awarded a verdict of over \$425 million in damages to two certified Classes. The Court entered a judgment, which requires Google to pay the Classes the amount of the jury’s verdict plus interest.

However, Google has asked the Court to vacate the judgment, meaning disregard the jury verdict. Google may also appeal the judgment.

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Class Counsel has asked the Court to award fees for their work in this case. Class Members have the right to object to this request. The Court will decide Class Counsel’s compensation. Class Counsel’s fees will be paid from the compensation ultimately awarded in this case, if any. These amounts will not be paid until after the Court rules on Google’s request to disregard the jury verdict and, if Google also chooses to appeal, after the Court rules on that appeal.

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As the litigation is ongoing, there is no money or benefits available to Class Members now. If money or benefits become available at a later date, Potential Class Members will be notified and given instructions on how to make a claim.

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**FAQ 3 (Who Can Participate?)**

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You are a Class Member if you meet one or more of the class definitions as defined by the Court:

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

Class 2 consists of all individuals who, during the period beginning July 1, 2016 and continuing through September 23, 2024, had their “Web & App Activity” and/or “supplemental Web & App Activity” setting turned off and whose activity on a non-Google-branded mobile app was still transmitted to Google, from a mobile device running a non-Android operating system, because of the Firebase SDK and/or Google Mobile Ads SDK.

For the alleged invasion of privacy and intrusion upon seclusion legal claims, the Court certified the same Class 1 and Class 2 but excluded individuals who only have an Enterprise account or a supervised Google Account for users under age 13. An Enterprise account is an account managed by an administrator that is designed for use by end users within an organization, such as businesses, non-profits, and schools. A supervised Google Account for users under age 13 is an account created for a minor when they are under the age of 13, created and supervised by a parent using Google Family Link.

For additional information about the various subclasses, or if you’re still not sure whether you are a Class Member, please visit the website, [www.GoogleWebAppActivityLawsuit.com](http://www.GoogleWebAppActivityLawsuit.com) or write to: Rodriguez v. Google [Notice Administrator](#), P.O. Box 2749, Portland, OR 97208-2749.

Subroutine

**FAQ 4 (Benefits available)**

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No money will be distributed at this time. While the jury did award a verdict, Google has asked the Court to vacate the judgment, meaning disregard the jury verdict. Google also may appeal. Class Counsel will continue to pursue the lawsuit against Google. If money or benefits become available, at a later date, Potential Class

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Members will be notified and given instructions on how to make a claim.

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**FAQ 5 How do I know if I turned off Web & App Activity?**

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Based on Google’s records, individual Notice of Class Certification was sent directly to persons whose Google Web & App Activity and/or supplemental Web & App Activity settings were turned off or paused at least once between July 1, 2016 and September 23, 2024. Those Notices were sent in late 2024.

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Those potential Class Members who did not timely exclude themselves are also being sent Notice of Fee Application in 2026.

Subroutine

**FAQ 6 (What are my rights and options?)**

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At this time, Class Members may choose to object to the Fee Application submitted by Class Counsel. Directions on how to file an objection are on the Fee Application Notice and in the FAQs section of www.GoogleWebAppActivityLawsuit.com. Directions are also available at this phone number.

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Deleted: a trial or settlement. If you choose this option, you will be bound by any judgments in this lawsuit and you will lose any rights to sue Google separately regarding

Class Members do not have to do anything to and stay in this lawsuit and remain a Class Member. If money or benefits become available at a later date, Potential Class Members will be notified and given instructions on how to make a claim.

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¶ Class Members may also ask to be excluded from this lawsuit and get no money or benefits from the lawsuit. If you ask to be excluded from this lawsuit and money or benefits are later awarded, you will not receive any. However, you will keep your right to sue Google at your own expense regarding the legal claims in this lawsuit. The

You may no longer request to exclude yourself from the lawsuit; the deadline to postmark a request to be excluded was February 20, 2025.

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**FAQ 7 (What Do I Do To Object to the Fee Filing?)**

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To object, you must file a written objection with the Court, so it is received no later than Month, DD, 20YY. You must also send your objection to Class Counsel and the

Deleted: exclude yourself, you must send a written request by mail stating that you want to be excluded from Rodriguez v. Google LLC. You must include your name, address, telephone number, and your signature. You must mail your exclusion request postmarked by February 20, 2025 to:

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**Notice Administrator.**

Detailed directions are available on the Fee Filing Notice and within the FAQs section of the website [www.GoogleWebAppActivityLawsuit.com](http://www.GoogleWebAppActivityLawsuit.com).

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**FAQ 8 (Do I Have a Lawyer in This Case?)**

The Court appointed Mark C. Mao, Beko Reblitz-Richardson, and James Lee of Boies Schiller Flexner LLP, John A. Yanchunis and Ryan J. McGee of Morgan & Morgan, and Bill Carmody and Amanda Bonn of Susman Godfrey LLP as “Class Counsel” to represent all Class Members. You will not be charged by these lawyers for their work on the lawsuit.

You have the right to hire and appear through your own lawyer, but you do not have to do so. Class Counsel is working on behalf of all Class Members as a whole. If you hire your own lawyer, you will have to pay for your lawyer on your own.

**Press 9 Message from Greeting:**

[Play Greeting Translation in Spanish. Then provide Main Menu in Spanish, followed by FAQ options in Spanish.]

**Subroutine**

**Subroutine Message**

To return to the main menu, please press the star key.  
To hear these menu options again, please press the pound key.  
Or simply hang up to disconnect.

**Deleted:** Rodriguez v. Google Exclusions  
PO Box 2749 ¶  
Portland, OR 97208-2749 ¶  
You cannot exclude yourself on the phone or by email. To exclude yourself, you must do so individually and separately; no consolidated, group, or mass requests for exclusion will be accepted. ¶  
If you ask to be excluded from this lawsuit and money or benefits are later awarded, you will not receive any. However, you will keep your right to sue Google at your own expense regarding the legal claims in this lawsuit. ¶  
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**BOIES SCHILLER FLEXNER LLP**

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dboies@bsfllp.com  
  
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Tel.: (415) 293-6800  
mmao@bsfllp.com  
brichardson@bsfllp.com

James Lee (admitted pro hac vice)  
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Tel.: (213) 995-5720  
alanderson@bsfllp.com  
mwright@bsfllp.com

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Shawn J. Rabin (admitted pro hac vice)  
Steven M. Shepard (admitted pro hac vice)  
Alexander Frawley (admitted pro hac vice)  
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rsila@susmangodfrey.com

Amanda K. Bonn, CA Bar No. 270891  
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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  
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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  
others similarly situated,

Plaintiffs,

vs.

GOOGLE LLC,

Defendant.

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

**[PROPOSED] ORDER GRANTING  
PLAINTIFFS' MOTION TO DIRECT  
NOTICE TO MEMBERS OF THE  
CERTIFIED CLASSES**

The Honorable Richard Seeborg

1 **[PROPOSED] ORDER**

2 Before the Court is Plaintiffs’ Motion to Direct Notice to Members of the Certified Classes.  
3 Having considered Plaintiffs’ Motion, the March 20, 2026 Declaration of Cameron R. Azari, the  
4 exhibits attached thereto, and all other matters properly considered, the Court **GRANTS** Plaintiffs’  
5 Motion.

6 For the reasons stated in Plaintiffs’ Motion, the proposed fee notice plan satisfies the  
7 requirements of Rule 23 and due process. Notice will be sent directly to class members’ known  
8 email addresses and also published through internet advertising and elsewhere for the benefit of  
9 class members for whom email addresses are unavailable. The proposed forms of fee notice  
10 include or direct class members to the relevant information—the amount of the common fund; the  
11 amounts sought in fees, expenses, and service awards; and how to object and the deadline to do  
12 so. The fee notice also directs class members to the case website, which will make Class Counsel’s  
13 fee motion publicly available. Finally, the case schedule affords class members sufficient time to  
14 contest the fee motion should they choose to do so.

15 **IT IS SO ORDERED.**

16  
17 DATED: \_\_\_\_\_

18 Honorable Richard Seeborg  
19 Chief United States District Judge