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Class Counsel for Plaintiffs

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

**IN RE: GOOGLE LLC STREET VIEW
ELECTRONIC COMMUNICATIONS
LITIGATION**

Case No. 3:10-md-02184

**DECLARATION OF LINDA V. YOUNG
REGARDING COMPLIANCE WITH THE
COURT’S ORDERS APPROVING THE
FORM AND MANNER OF CLASS NOTICE**

I, Linda V. Young, hereby declare as follows:

1. I am the Vice President, Media with A.B. Data, Ltd. (“A.B. Data”).
2. I submit this Declaration regarding my firm’s compliance with the Court’s Order Granting Preliminary Approval of Class Action Settlement, filed on October 9, 2019 (the “Preliminary Approval Order”), ECF No. 178, and the Court’s Stipulation and Order on Schedule Through Hearing on Final Approval of Settlement, filed on October 15, 2019 (the “Scheduling Order”), ECF No. 180. I have personal knowledge of the facts set forth herein and, if called as a witness, could and would testify competently thereto.

1 3. My firm was appointed to serve as the Notice Administrator for the proposed
2 Settlement in the above-titled litigation. The objective of the notice plan was to provide notice to
3 potential Class Members of the proposed Settlement while satisfying all applicable standards of
4 due process and Rule 23 of the Federal Rules of Civil Procedure. Pursuant to the Preliminary
5 Approval Order, the Class is comprised of:

6 All persons who used a wireless network device from which Acquired Payload
7 Data was obtained.

8 “Acquired Payload Data” means the Payload Data acquired from unencrypted
9 wireless networks by Google’s Street View vehicles operating in the United States
10 from January 1, 2007, through May 15, 2010.

11 4. Notice to the Class was provided in a manner that fully complies with the
12 Preliminary Approval Order and the Scheduling Order. Notice was given by the Court-approved
13 Long-Form Notice, attached hereto as **Exhibit 1** (“Long-Form Notice”), strategically designed
14 banner ads (examples of which are attached as **Exhibit 2**), the dissemination of a press release, and
15 the implementation of a case-specific website and toll-free telephone number.

16 5. Beginning on October 22, 2019, A.B. Data caused digital banner and newsfeed ads
17 to be executed through the Verizon Media Networks, Instagram, Facebook, Google Display
18 Network, and Google AdWords/Search platforms. Over 560 million total impressions were
19 delivered.

20 6. On October 22, 2019, A.B. Data established the case-specific website,
21 www.streetviewsettlement.com. The website provided, among other things, a link to the
22 Long-Form Notice, a summary of the case, answers to frequently asked questions, relevant filings
23 and Court orders including the Settlement Agreement, the Preliminary Approval Order, the
24 Scheduling Order, and the various Proposals for *Cy Pres* Funding.

25 7. On October 22, 2019, A.B. Data established a case-specific toll-free number,
26 800-332-7417, with an interactive voice response (“IVR”) system and live operators. The
27 automated attendant answers calls and presents callers with a series of choices in response to basic
28

1 questions. If callers require further assistance, they have the option of transferring their calls to a
2 live operator during business hours.

3 8. On October 24, 2019, A.B. Data disseminated a press release on behalf of Class
4 Counsel over *PR Newswire* to the US1 and Hispanic newswires in English and Spanish. This press
5 release was distributed to more than 10,000 newsrooms, including print, broadcast, and digital
6 media, across the United States. A.B. Data and *PR Newswire* posted the press release on their
7 respective Twitter pages. A true and correct copy of the press release is attached as **Exhibit 3**.

8 9. On November 19, 2019, in compliance with the Class Action Fairness Act
9 (“CAFA”), 28 U.S.C. § 1715, A.B. Data caused a notification to be sent to the United States
10 Attorney General, the Attorneys General of each of the 50 States and the District of Columbia, and
11 the Attorneys General of the five recognized U.S. Territories. The notification included a cover
12 letter, attached as **Exhibit 4**, with an enclosed CD containing the: the Consolidated Class Action
13 Complaint, filed on November 8, 2010; the Settlement Agreement, executed on June 11, 2018; the
14 Preliminary Approval Order; and the Long-Form Notice.

15 10. Of the more than 560 million impressions delivered through A.B. Data’s ad
16 campaign, there were approximately 159,000 click-throughs to the settlement website or other
17 engagements. This rate was consistent with my expectations for a settlement of this kind. As of
18 November 25, 2019, the website has been visited 173,886 times by 122,954 unique users and A.B.
19 Data has received 12 emails concerning the settlement and 41 phone calls to the settlement phone
20 line.

21 11. The deadline to submit a request for exclusion from the Class is January 20, 2020.
22 To date, A.B. Data has received one request for exclusion, from an individual.

23 12. The deadline to object to the Settlement is January 20, 2020. Pursuant to the
24 Preliminary Approval Order, objections are to be filed with the Court or mailed to the Notice
25 Administrator. To date, A.B. Data has not directly received any objections, nor have we received
26 any comments on the settlement or the various Proposals for *Cy Pres* Funding.

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EXHIBIT 1

Notice of Class Action Settlement Google Street View WiFi Communications

Important Information – Read Carefully.

This is a Court approved Legal Notice. This is not an advertisement.

A class action Settlement has been proposed in litigation against Google LLC (“Google”) relating to allegations that Google “Street View” vehicles unlawfully captured electronic communications sent or received over wireless network connections (“WiFi connections”). If you used an unencrypted wireless network from which Google’s Street View vehicles obtained Payload Data (defined below) in the United States between January 1, 2007 and May 15, 2010, you are a Settlement Class Member.

“Payload Data” means data frames under the 802.11 Wireless Standard, consisting of a body that may contain the content of communications being transmitted over the network. Payload Data does not include data frames consisting of a header, nor does it include data frames containing solely network identifying information, such as a MAC Address or SSID.

Under the Settlement, Google has agreed to destroy the Payload Data that Street View Vehicles acquired in the United States between January 1, 2007, and May 15, 2010. Google has also agreed not to collect and store Payload Data via Street View vehicles for use in any product or service, except with notice and consent. In addition to these and other commitments described below, Google has agreed to pay \$13 million into a Settlement Fund.

The money in the Settlement Fund will be distributed to non-profit organizations that have a track record of addressing consumer concerns regarding the privacy of their electronic communications, as well as to pay attorneys’ fees and expenses as awarded by the Court, and the costs of giving notice of the Settlement to Class Members.

The non-profit organizations that will receive funds from the Settlement are called “Cy Pres Recipients.” The Plaintiffs have recommended the following organizations to the Court to be Cy Pres Recipients: American Civil Liberties Union Foundation, Inc., Center for Digital Democracy, The Center on Privacy & Technology at Georgetown Law, Consumer Reports, Inc., Massachusetts Institute of Technology - Internet Policy Research Initiative, Public Knowledge, Rose Foundation for Communities and the Environment, and World Privacy Forum. The Electronic Privacy Information Center has also filed an application for funding. The Court will select the Cy Pres Recipients and will decide how much money each will receive from the Settlement Fund. As a condition of receiving this money, each Cy Pres Recipient must commit to use the funds to promote the protection of Internet privacy.

The Court will decide whether to approve the proposed Settlement. If approved, the Settlement will resolve the litigation entitled *In re Google Inc. Street View Electronic Communications Litigation*, Case No. 15-md-02184, which is pending before Judge Charles R. Breyer in the Northern District of California.

The class action settlement approval process may take several months, or more if there is an appeal.

This Settlement affects your legal rights even if you do nothing.

Questions? Go to www.streetviewsettlement.com or call 800-332-7417.

Please read this Notice carefully.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT		
OBJECT TO OR COMMENT ON THE SETTLEMENT	<p>You may object to the Settlement by writing to the Court about why you don't think the Settlement should be approved.</p> <p>You can also write the Court to provide comments or reasons why you support the Settlement.</p> <p>For detailed information about how to object to or comment on the Settlement, see Question 15.</p>	<p>Deadline: January 20, 2020</p>
GO TO THE FINAL APPROVAL HEARING	<p>You may, but are not required to, attend the Final Approval Hearing where the Court may hear arguments concerning the approval of the Settlement. If you wish to speak at the Final Approval Hearing, you must state your intention to do so in your written objection or comment.</p>	<p>Deadline: February 28, 2020 at 10:00 a.m.</p>
EXCLUDE YOURSELF FROM THIS SETTLEMENT	<p>You can exclude yourself from the Settlement by informing the Notice Administrator that you want to "opt-out" of the Settlement. If the Settlement becomes final, this is the only option that allows you to retain your rights to sue for claims relating to unencrypted WiFi communications acquired by Street View Vehicles in the United States between January 1, 2007, and May 15, 2010.</p>	<p>Deadline: January 20, 2020</p>
DO NOTHING	<p>If you do nothing before the deadline to comment, object, or exclude yourself, and if the Settlement becomes final, you will give up your rights to sue for claims relating to the Plaintiffs' complaint in this case, which alleges that between January 1, 2007, and May 15, 2010, Google Street View Vehicles in the United States intentionally intercepted electronic communications that were sent over unencrypted wireless networks.</p>	<p>Deadline: January 20, 2020</p>

This Settlement affects your legal rights even if you do nothing.

Questions? Go to www.streetviewsettlement.com or call 800-332-7417.

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This Settlement affects your legal rights even if you do nothing.

Questions? Go to www.streetviewsettlement.com or call 800-332-7417.

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This Settlement affects your legal rights even if you do nothing.
Questions? Go to www.streetviewsettlement.com or call 800-332-7417.

BACKGROUND INFORMATION

1. Why is there a notice?

A Court authorized this notice because you have a right to know how the proposed Settlement may affect your rights. This notice explains the nature of the litigation, the general terms of the proposed Settlement, and what it may mean to you. This notice also explains the ways you may participate in, or exclude yourself from, the Settlement.

2. What is this litigation about?

The complaint in this case alleges that between January 1, 2007, and May 15, 2010, Google Street View Vehicles intentionally intercepted electronic communications that were sent over unencrypted wireless internet connections (“WiFi connections”) in the United States, in violation of the Federal Wiretap Act, 18 U.S.C. §§ 2510 et seq., and related state statutes.

The lawsuit was brought on behalf of the individuals whose data was intercepted by Google Street View Vehicles. Google denies any wrongdoing, and no court or other entity has made any determination that the law has been violated. The current complaint filed in this litigation, which describes the specific legal claims alleged by the Plaintiffs and the relief sought, is available on the Settlement Website, at www.streetviewsettlement.com. You can also find a copy of the Court’s order on Google’s first motion to dismiss the Plaintiffs’ legal claims on the Settlement Website.

3. Who is the defendant in the lawsuit?

The Defendant is Google LLC. Google is a Delaware corporation with its principal place of business in Mountain View, California.

4. Why is this a class action?

Even if you have not filed your own lawsuit against Google regarding allegations that Google intercepted data as alleged in this case, if you are a Settlement Class Member, this Settlement still affects you because the Settlement applies to all Settlement Class Members.

In a class action, one or more people file a lawsuit to assert legal claims on behalf of themselves and other persons who have experienced the same or similar circumstances. Here, twenty-one of the people named as Plaintiffs in the complaint will serve as “Class Representatives” to represent the interests of all the Settlement Class Members.

5. Why is there a settlement?

The Court has not decided in favor of Plaintiffs or Google. Instead, both sides agreed to a settlement. Settlements avoid the costs and uncertainty of a trial and appeals, while providing benefits to Settlement Class Members when the Settlement becomes final. Class Representatives and the attorneys for the Settlement Class (“Class Counsel,” see Question 7) believe that the Settlement is in the best interests of the Settlement Class Members.

This Settlement affects your legal rights even if you do nothing.

Questions? Go to www.streetviewsettlement.com or call 800-332-7417.

SETTLEMENT CLASS MEMBERSHIP

6. How do I know if I am part of the Settlement?

You are a Settlement Class Member, and you are affected by this Settlement, if you used a wireless network device from which Google's Street View vehicles in the United States obtained unencrypted Payload Data between January 1, 2007 and May 15, 2010.

"Payload Data" means data frames under the 802.11 Wireless Standard, consisting of a body that may contain the content of communications being transmitted over the network. Payload Data does not include data frames consisting of a header, and Payload Data does not include data frames containing solely network identifying information, such as a MAC Address or SSID.

"Unencrypted" Payload Data is typically only available from a wireless network device (such as a router) that is not password protected. If you used such a device in any part of the United States where Google Street View vehicles were driving between January 1, 2007, and May 15, 2010, you may be a Settlement Class Member.

However, the following entities and individuals are **not** Settlement Class Members:

- Google; Google Affiliates, and their respective officers, directors, employees, members, agents, attorneys, administrators, representatives, insurers, beneficiaries, trustees, shareholders, investors, contractors, joint venturers, predecessors, successors, assigns, transferees, and all other individuals and entities acting on Google's behalf with respect to the Released Claims (defined at Question 6);
- Any judicial officer presiding over the Action, or any member of his or her immediate family or of his or her judicial staff; and
- Any individual who meets the class definition and who timely and validly opts-out of the Settlement.

If you are not sure whether you are a Settlement Class Member, you may visit the FAQ's section of the Settlement website, at www.streetviewsettlement.com, contact the Notice Administrator by mail at Google Street View Settlement, c/o A. B. Data, Ltd., P.O. Box 170500, Milwaukee, WI 53217 or call the Notice Administrator toll-free number at 800-332-7417, to ask the Notice Administrator for more information that may help you determine whether or not you are a Settlement Class Member.

THE LAWYERS FOR SETTLEMENT CLASS MEMBERS

7. Do I have a lawyer in the case?

If you are a Settlement Class Member, you have a lawyer in this case. The Court appointed as "Class Counsel" the law firms Spector Roseman & Kodroff, PC; Cohen Milstein Sellers & Toll PLLC; and Lief Cabraser Heimann & Bernstein LLP; to represent the Settlement Class Members. If you want to be represented by your own lawyer, you may hire one at your own expense.

8. How will Class Counsel be paid?

Class Counsel will apply to the Court to be paid from the Settlement Fund, and payment will be made only if Class Counsel's request is approved by the Court, and only in the amount that is approved by the Court.

Class Counsel will ask the Court to award no more than \$3.25 million in attorneys' fees (25% of the Settlement Fund), up to \$750,000 to reimburse Class Counsel for the expenses incurred to litigate and resolve this action,

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and up to \$158,000 to reimburse the Notice Administrator for the costs of administering the Settlement. Class Counsel will also ask the Court to approve Service Awards for eighteen of the Plaintiffs named in the Consolidated Amended Complaint who participated in jurisdictional discovery of up to \$5,000 per Settlement Class Representative, and for the three Plaintiffs named in the Consolidated Amended Complaint who did not participate in jurisdictional discovery of up to \$500 per Settlement Class Representative, as an award for their service to the Settlement Class as Plaintiffs and Class Representatives (\$91,500 in total).

Google has the right to oppose Class Counsel's application for fees, reimbursement of costs, and Service Payments, and Settlement Class Members have the right to object. The Court will decide the attorneys' fees and expenses, and Service Awards to be paid. Any attorneys' fees, expenses, or Service Awards approved by the Court will be paid from the \$13 million Settlement Fund.

Class Counsel's application for attorneys' fees, expenses, and Service Awards will be made available on the Settlement Website at www.streetviewsettlement.com before the deadline for you to comment or object to the Settlement. You can also request a copy of the application by contacting the Notice Administrator at Google Street View Settlement, c/o A. B. Data, Ltd., P.O. Box 170500, Milwaukee, WI 53217.

BENEFITS FOR SETTLEMENT CLASS MEMBERS

9. Will the Settlement Allow Google to keep my WiFi data?

The Settlement requires Google to destroy the Payload Data acquired from unencrypted wireless networks by Google's Street View vehicles operating in the United States from January 1, 2007, through May 15, 2010.

10. Will the Settlement help protect my WiFi data in the future?

Under the Settlement, Google has agreed that for five years after the Settlement becomes final, Google will not collect and store for use, in any product or service, Payload Data via Street View vehicles, except with notice and consent.

Google also agrees to comply with all aspects of the Privacy Program described in paragraph 16 of Section I of the Assurance of Voluntary Compliance and with the prohibitive and affirmative conduct described in paragraphs 1-5 of the Assurance of Voluntary Compliance. Through counsel, Google will confirm to Plaintiffs in writing on an annual basis that it remains in compliance.

"Assurance of Voluntary Compliance" means the Assurance of Voluntary Compliance entered into by Google and the Attorneys General of the States of Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Hawaii, Illinois, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Mississippi, Missouri, Montana, Nebraska, Nevada, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Rhode Island, South Carolina, Tennessee, Texas, Vermont, Virginia, and Washington in March 2013 regarding Google's collection of Wi-Fi information with its Street View vehicles.

This is a summary of the requirements in Paragraph 16 of Section I of the Assurance of Voluntary Compliance:

Google will implement a "Privacy Program" that includes:

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Questions? Go to www.streetviewsettlement.com or call 800-332-7417.

- Delivering a copy of the Assurance of Voluntary Compliance to Google's executive management, employees with supervisory responsibilities, and Google's product counsel and attorneys who have responsibility in providing advice regarding privacy of consumer information;
- Designating one or more employees to coordinate and be responsible for a "Privacy Program" implemented by Google;
- Providing regular employee training designed to (1) inform new employees about the importance of user privacy and their role in helping maintain it, (2) offer further privacy education to Google employees with responsibility relating to the privacy or confidentiality of user data, (3) make privacy certification programs available to key employees, and (4) provide in-house counsel privacy awareness refresher training for counsel advising product teams;
- Holding an annual "Privacy Week" event that is promoted across Google offices and will include presentations by subject matter experts;
- Providing periodic updates on Google's internal communications channels describing key material developments in user privacy, including technical, legal, or policy developments;
- Regularly assessing the effectiveness of the Privacy Program's controls and the consideration of updates to such controls based on those assessments; and
- Developing and maintaining policies and procedures for responding to identified events involving the unauthorized collection, use, or disclosure of user data.

This is a summary of the requirements in Paragraphs 1-5 of the Assurance of Voluntary Compliance:

Google, and its successors and assigns:

- shall not collect and store for use, in any product or service, Payload Data via Street View vehicles, except with notice and consent;
- shall maintain the Privacy Program described in paragraph 16 for ten years;
- Shall provide the Attorneys General a copy of reports conducted pursuant to a consent decree with the Federal Trade Commission;
- Shall delete or destroy the Payload Data it collected in the United States as soon as practicable and at a time when destroying the data is not contrary to any litigation holds or other legal requirements;
- Shall design and implement a public service campaign reasonably designed to educate consumers about steps they can take to better secure their personal information while using wireless networks, which includes a YouTube video about how to encrypt wireless networks, a blog post explaining the value of encrypting a wireless network and directing users to how-to videos on YouTube, running at least one half-page educational newspaper ad in a national newspaper and at least one half-page educational ad in the newspaper with the greatest circulation in

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each State, incorporating a discussion on WiFi security in an educational pamphlet available to the public about online safety and privacy, and running daily online ads promoting the how-to video for at least two years from the date the campaign begins.

The full text of the Assurance of Voluntary Compliance is available on the Settlement Website, at www.streetviewsettlement.com.

11. Who will receive money from the Settlement?

The Settlement provides for distribution of the Settlement Fund, after deducting any attorneys' fees, service awards, and other expenses approved by the Court, to non-profit organizations that have a track record of addressing consumer concerns regarding the privacy of their electronic communications (the "Cy Pres Recipients"). The Plaintiffs have recommended eight non-profit organizations to the Court, and the Court will select the Cy Pres Recipients. In their motion for final approval of the Settlement, the Plaintiffs will recommend how to allocate the total cy pres money among all proposed Cy Pres Recipients.

Google represents in the Settlement Agreement that the money that will be distributed to the Cy Pres Recipients is in addition to Google's charitable donations and that, but for this Settlement, Google would not have spent this money for charitable purposes.

The portion of the Settlement Fund that will be distributed to the Cy Pres Recipients depends on the amounts the Court approves for attorneys' fees, Service Awards, and other expenses. Any funds that the Court does not award as attorneys' fees, Service Awards, or other expenses will be distributed to the Cy Pres Recipients approved by the Court.

The Plaintiffs have recommended the following Cy Pres Recipients:

American Civil Liberties Union Foundation, Inc.

Center for Digital Democracy

The Center on Privacy & Technology at Georgetown Law

Consumer Reports, Inc.

Massachusetts Institute of Technology - Internet Policy Research Initiative

Public Knowledge

Rose Foundation for Communities and the Environment

World Privacy Forum

A copy of the Proposal from each recommended Cy Pres Recipient describing how it would use money from the Settlement is available on the Settlement Website, at www.streetviewsettlement.com.

The Court has approved a motion by The Electronic Privacy Information Center (EPIC) to apply for cy pres funding and to be included as a proposed Cy Pres Recipient. EPIC's application is available on the Settlement Website, at www.streetviewsettlement.com.

This Settlement affects your legal rights even if you do nothing.

Questions? Go to www.streetviewsettlement.com or call 800-332-7417.

12. What happens if the Court does not approve the proposed Cy Pres Recipients?

The proposed Cy Pres Recipients will only receive money from the Settlement Fund if the Court approves the distribution.

If *none* of the proposed Cy Pres Recipients are approved by the Court, the Plaintiffs will seek permission from the Court to recommend different Cy Pres Recipients, which will also be non-profit organizations that have a track record of addressing consumer concerns regarding the privacy of their electronic communications. If this happens, you can find information about the new recommendation by visiting the Settlement Website, at www.streetviewsettlement.com.

If the Court decides not to approve one or more of the proposed Cy Pres Recipients, but does approve at least one, the total amount of money to be distributed to Cy Pres Recipients would not change. Instead, the funds proposed for distribution to any Cy Pres Recipient that the Court did not approve will be distributed to the approved Cy Pres Recipients instead.

None of the money in the Settlement Fund will be returned to Google if the Settlement becomes final.

13. How will the Cy Pres Recipients use the settlement money?

Detailed proposals from each proposed Cy Pres Recipients regarding how they would use funds awarded by the Court are available on the Settlement Website at www.streetviewsettlement.com.

Each proposed Cy Pres Recipient must agree that, if the Court awards it money from this Settlement, it will use the funds to promote the protection of Internet privacy as described in their detailed proposals. Until the funds allocated to it are exhausted, the Settlement requires each Cy Pres Recipient to report to the Court and the parties every six months informing them of how it has used the awarded money since the previous report and how it intends to use any remaining funds. The reports will be posted on the Settlement website, at www.streetviewsettlement.com.

LEGAL RIGHTS RESOLVED THROUGH THE SETTLEMENT

14. What am I giving up to stay in the Settlement Class?

If you do not exclude yourself from the Settlement Class, you will be releasing all of your legal claims relating to the allegations in the plaintiffs' Complaint, which alleges that between January 1, 2007, and May 15, 2010, Google Street View Vehicles intentionally intercepted electronic communications that were sent over unencrypted wireless internet connections in the United States. You may view the entire Complaint on the Settlement Website at www.streetviewsettlement.com.

The claims you are giving up are called "Released Claims," and they are defined in paragraph 17 of the Settlement Agreement. You will be releasing the Released Claims against Google, Google Affiliates, and their respective officers, directors, employees, members, agents, attorneys, administrators, representatives, insurers, beneficiaries, trustees, shareholders, investors, contractors, joint venturers, predecessors, successors, assigns, transferees, and all other individuals and entities acting on Google's behalf in connection with the Released Claims, when the Settlement becomes final.

This Settlement affects your legal rights even if you do nothing.

Questions? Go to www.streetviewsettlement.com or call 800-332-7417.

By releasing your legal claims, you are giving up the right to file lawsuits against, or seek further compensation from, Google and the related entities listed above based on those claims—whether or not you are currently aware of those claims. If you are a Settlement Class Member, all of the decisions by the Court will bind you unless you exclude yourself from the Settlement (see Questions 20-22). That means you will be bound to the terms of the Settlement and accompanying Court order, and cannot bring a lawsuit, or be part of another lawsuit against Google or the other entities listed in the paragraph above regarding the use of Street View vehicles operating in the United States to acquire unencrypted Payload Data between January 1, 2007, and May 15, 2010, and related allegations in Plaintiffs' complaint.

Paragraph 17 of the Settlement Agreement defines the claims that will be released by Settlement Class Members who do not exclude themselves from the Settlement. You can access the Settlement Agreement and read the details of the legal claims being released at www.streetviewsettlement.com. If you have any questions about what this means, you can contact the Notice Administrator (see Question 24).

OBJECTING TO THE SETTLEMENT

15. If I don't like the Settlement, how do I tell the Court?

If you do not exclude yourself from the Settlement, you can object to any aspect of the Settlement, to Class Counsel's request for attorneys' fees and expenses, to the request for Plaintiff Service Awards, and/or to particular proposed cy pres recipients.

Objecting to the Settlement means asking the Court to deny approval to the Settlement. You can't ask the Court to order a larger settlement—it can only approve or deny the Settlement. If the Court denies approval to the Settlement, Google will not be required to comply with the terms of the Settlement Agreement, no settlement payments will be sent out, and the lawsuit will continue. If that is what you want to happen, you may so state in an objection.

If you chose to make an objection, it must be in writing and contain the following:

- a. The name and case number of this lawsuit (*In re Google Inc. Street View Electronic Communications Litigation*, case number is 10-md-02184);
- b. This statement: "I declare under penalty of perjury that I used an unencrypted wireless network in the United States between January 1, 2007 and May 15, 2010";
- c. Your full name and mailing address, and email address or telephone number;
- d. All reasons for your objection;
- e. Whether you intend to personally appear at the Final Approval Hearing;
- f. The name and contact information of any attorney representing you in this case, and whether the attorney will appear on your behalf at the Final Approval Hearing;
- g. Your handwritten or electronically imaged written (e.g., "DocuSign") signature. An attorney's signature, or a typed signature, is not sufficient.

To be considered by the Court, your objection must be either (1) filed at any location of the United States District Court for the Northern District of California on or before January 20, 2020, or (2) mailed, postmarked no later than January 20, 2020, to the following two recipients at these addresses:

This Settlement affects your legal rights even if you do nothing.

Questions? Go to www.streetviewsettlement.com or call 800-332-7417.

THE COURT	THE NOTICE ADMINISTRATOR
Judge Breyer Case System Administrator United States Courthouse 280 South 1st Street, Room 2112 San Jose, CA 95113	Google Street View Settlement c/o A. B. Data, Ltd. P.O. Box 170500 Milwaukee, WI 53217

16. What is the difference between objecting and excluding myself?

You object to the Settlement when you disagree with some aspect of the Settlement and think the Court should not give Final Approval to the Settlement. An objection, like a comment, allows your views to be heard in Court.

Excluding yourself from the Settlement means that you are no longer a Settlement Class Member and don't want the Settlement to apply to you. Once you are excluded, you lose any right to object to any aspect of the Settlement because the case no longer affects you.

FINAL APPROVAL HEARING

17. When and where will the Court decide whether to approve the Settlement?

The Court will hold the Final Approval Hearing at 10 a.m. on February 28, 2020 in Courtroom 6 (17th Floor) of the United States Courthouse, 450 Golden Gate Avenue, San Francisco, CA 94102. The hearing may be postponed to a different date or time or location without notice. Please check www.streetviewsettlement.com, or Judge Charles R. Breyer's Calendar (available at <https://www.cand.uscourts.gov/crb>) for any updates about the Settlement or the Final Approval Hearing. If the date or time of the Final Approval Hearing changes, an update to the Settlement Website or the Court's Calendar is the only way you will be informed of the change.

At the Final Approval Hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate. If there are objections, the Court will consider them. The Court may listen to people who appear at the hearing and who have provided notice of their intent to appear at the hearing (see Question 15). The Court may also consider Class Counsel's application for attorneys' fees, costs, and expenses and for Service Payments. After the hearing, the Court will decide whether to approve the Settlement.

18. Do I have to come to the hearing?

No. Class Counsel will answer any questions the Court may have. You may attend at your own expense if you wish. If you submit a written objection, you may, but you do not have to, come to Court to talk about it. As long as you submitted your written objection on time, the Court will consider it. You may also pay your own lawyer to attend, but it is not required.

19. May I speak at the hearing?

At that hearing, the Court will at its discretion hear any objections and arguments concerning the fairness of the Settlement.

You may attend the hearing, but you do not have to. As described above in response to Question 17, you may speak at the Final Approval Hearing if (a) you have mailed your written comment or objection to the appropriate

This Settlement affects your legal rights even if you do nothing.

Questions? Go to www.streetviewsettlement.com or call 800-332-7417.

recipient on or before the postmark deadline, and (b) you identified in your comment or objection whether you intend to appear at the Final Approval Hearing.

You cannot speak at the hearing if you exclude yourself from the Settlement Class.

EXCLUDING YOURSELF FROM THE SETTLEMENT

20. How do I exclude myself from the Settlement?

If you want to keep the right to sue or continue to sue Google or the other released entities (see Question 14) based on claims this Settlement resolves, you must exclude yourself from the Settlement Class (sometimes called “opting out”).

To exclude yourself from the Settlement, you must send a letter by mail saying that you wish to do so. Your exclusion letter must include:

- a. The name and case number of this lawsuit (*In re Google Inc. Street View Electronic Communications Litigation*, case number is 10-md-02184);
- b. Your full name and mailing address, and email address or telephone number;
- c. The words “Notification of Exclusion” or a statement that you want to be excluded from the Settlement; and
- d. Your handwritten or electronically imaged written (e.g., “DocuSign”) signature. An attorney’s signature, or a typed signature, is not sufficient.

You must mail your exclusion letter, postmarked no later than January 20, 2020, to:

Google Street View Settlement, ATTN: EXCLUSIONS/OBJECTIONS
c/o A.B. Data, Ltd., P.O. Box 170500, Milwaukee, WI 53217

You cannot exclude yourself by mailing a notification to any other location or after the deadline of January 20, 2020. You cannot exclude yourself by telephone or by email. Your exclusion letter must be signed by you, personally, and not your lawyer or anyone else acting on your behalf. “Mass” or “class” opt-outs made on behalf of multiple persons or classes of persons will be deemed invalid.

21. If I do not exclude myself, can I sue Google for the same thing later?

No. Unless you exclude yourself, you give up the right to sue Google for the claims that this Settlement resolves.

22. If I exclude myself, am I still represented by Class Counsel?

No. Class Counsel represents the members of the Settlement Class. If you exclude yourself from the Settlement Class, you are not represented by Class Counsel.

This Settlement affects your legal rights even if you do nothing.

Questions? Go to www.streetviewsettlement.com or call 800-332-7417.

DOING NOTHING

23. What happens if I do nothing?

If you do nothing, and if the Settlement becomes final, you will give up your rights to sue Google (or continue to sue) or related entities (see Question 14) for claims arising out of or related to the allegations in the plaintiffs' Complaint, which alleges that between January 1, 2007, and May 15, 2010, Google Street View Vehicles intentionally intercepted electronic communications that were sent over unencrypted wireless internet connections in the United States.

GETTING MORE INFORMATION

24. How do I get more information?

This notice summarizes the proposed Settlement. More details are in the Settlement Agreement itself. You can get a copy of the Settlement Agreement, view other case documents, and get additional information, updates, and answers to Frequently asked Questions, by visiting www.streetviewsettlement.com.

All of the case documents that have been filed publicly in this case are also available online through the Court's Public Access to Court Electronic Records (PACER) system at <https://ecf.cand.uscourts.gov>. This case is called *In re Google Inc. Street View Electronic Communications Litigation*, and the case number is 10-md-02184. You may obtain case documents by visiting the office of the Clerk of the Court for the United States District Court for the Northern District of California, San Francisco Division, between 9:00 a.m. and 4:00 p.m., Monday through Friday, excluding Court holidays.

You can also get additional information or request a copy of the Settlement Agreement by calling toll-free 800-332-7417 or writing to the Notice Administrator at *In re Google Inc. Street View Electronic Communications Litigation*, c/o A.B. Data, Ltd., P.O. Box 170500, Milwaukee, WI 53217

PLEASE DO NOT TELEPHONE THE COURT OR THE COURT CLERK'S OFFICE TO INQUIRE ABOUT THIS SETTLEMENT

This Settlement affects your legal rights even if you do nothing.

Questions? Go to www.streetviewsettlement.com or call 800-332-7417.

EXHIBIT 2

Google Street View
Data Collection Settlement

If You Used an Unencrypted
Wi-Fi Network
Between 2007 - 2010,
Your Rights May Be
Affected by a
Class Action Lawsuit.




LEARN MORE HERE >

StreetViewSettlement.com

Google Street View
Data Collection Settlement

If You Used an Unencrypted
Wi-Fi Network
Between 2007 - 2010, Your
Rights May Be Affected by a
Class Action Lawsuit.



LEARN MORE HERE >

StreetViewSettlement.com

Google Street View
Data Collection
Settlement

If You Used an Unencrypted Wi-Fi Network
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StreetViewSettlement.com **LEARN MORE HERE >**

Google Street View
Data Collection Settlement

**If You Used an Unencrypted
Wi-Fi Network
Between 2007 - 2010,
Your Rights May Be
Affected by a
Class Action Lawsuit.**



LEARN MORE HERE >

StreetViewSettlement.com

EXHIBIT 3

To: All persons who used an unencrypted wireless network in the United States between January 1, 2007, and May 15, 2010 English

NEWS PROVIDED BY

Spector Roseman & Kodroff, PC, Cohen Milstein Sellers & Toll PLLC, and Lief Cabraser Heimann & Bernstein, LLP

Oct 24, 2019, 16:52 ET

SHARE THIS ARTICLE



SAN FRANCISCO, Oct. 24, 2019 /PRNewswire/ --

News provided by: SPECTOR ROSEMAN & KODROFF, PC, COHEN MILSTEIN SELLERS & TOLL PLLC, AND LIEFF CABRASER HEIMANN & BERNSTEIN, LLP.

A class action Settlement has been proposed in litigation against Google LLC ("Google") relating to allegations that Google "Street View" vehicles unlawfully captured electronic communications sent or received over wireless network connections ("Wi-Fi connections"). If you used an unencrypted wireless network from which Google's Street View vehicles obtained Payload Data (defined below) in the United States between January 1, 2007, and May 15, 2010, you are a Settlement Class Member.

"Payload Data" means data frames under the 802.11 Wireless Standard, consisting of a body that may contain the content of communications being transmitted over the network. Payload Data does not include data frames consisting of a header, nor does it include data frames containing solely network identifying information, such as a MAC Address or SSID. More information about the litigation, including a copy of the Consolidated Amended Class Action Complaint and a copy of the Settlement Agreement, are available on the Settlement Website, www.streetviewsettlement.com.

Under the Settlement, Google has agreed to destroy the Payload Data that Street View vehicles acquired in the United States between January 1, 2007, and May 15, 2010. Google has also agreed not to collect and store Payload Data via Street View vehicles for use in any product or service, except with notice and consent. In addition to these and other commitments described in the detailed Class Notice available at www.streetviewsettlement.com, Google has agreed to pay \$13 million into a Settlement Fund. Google denies any wrongdoing, and no court or other entity has made any determination that any law has been violated.

If the Settlement is approved, the money in the Settlement Fund will be distributed to non-profit organizations that have a track record of addressing consumer concerns regarding the privacy of their electronic communications, as well as to pay attorneys' fees and expenses and service awards for named plaintiffs as awarded by the Court, and the costs of giving notice of the Settlement to Class Members. The non-profit organizations that will receive funds from the Settlement are called "Cy Pres Recipients." The Plaintiffs have recommended the following organizations to the Court to be Cy Pres Recipients: American Civil Liberties Union Foundation, Inc., Center for Digital Democracy, The Center on Privacy & Technology at Georgetown Law, Consumer Reports, Inc., Massachusetts Institute of Technology - Internet Policy Research Initiative, Public Knowledge, Rose Foundation for Communities and the Environment, and World Privacy Forum. The Electronic Privacy Information Center has also filed an application for funding. The Court will select the Cy Pres Recipients and will decide how much money each will receive from the Settlement Fund. As a condition of receiving this money, each Cy Pres Recipient must commit to use the funds to promote the protection of Internet privacy. A copy of the proposal from each potential Cy Pres Recipient describing how it would use money from the Settlement is available on the Settlement Website, at www.streetviewsettlement.com.

Class Counsel will ask the Court to award no more than \$3.25 million in attorneys' fees (25% of the Settlement Fund), up to \$750,000 to reimburse Class Counsel for the expenses incurred to litigate and resolve this action, and up to \$158,000 to reimburse the Court-appointed Notice Administrator, A.B. Data, Ltd., for the costs of administering the Settlement. Class Counsel will also ask the Court to approve service awards of between \$500 and \$5,000 to each of the named Plaintiffs for their service to the Settlement Class. Class Counsel's application for fees, expenses, and service awards will be available on the Settlement Website, www.streetviewsettlement.com, after November 25, 2019.

The Court will decide whether to approve the proposed Settlement and Class Counsel's application for fees, expenses, and Plaintiff service awards, at a hearing scheduled for **February 28, 2020**, in San Francisco, California. If approved, the Settlement will resolve the litigation entitled *In re Google Inc. Street View Electronic Communications Litigation*, Case No. 10-md-02184, which is pending before Judge Charles R. Breyer in the Northern District of California. You may, but are not required to, attend the Final Approval Hearing. If you wish to speak at the Final Approval Hearing, you must state your intention to do so in your written objection or comment. The requirements for submitting an objection, which must be postmarked no later than **January 20, 2020**, are available in the detailed Class Notice. You may also exclude yourself from the Settlement, on or before **January 20, 2020**, by following the instructions for excluding yourself in the detailed Class Notice. If the Settlement becomes final, excluding yourself is the only option that allows you to retain your rights to sue for claims relating to unencrypted Wi-Fi communications acquired by Street View Vehicles in the United States between January 1, 2007, and May 15, 2010.

More information about the litigation, the Settlement, the Final Approval Hearing, and the requirements for objecting to the Settlement, or excluding yourself, is available at www.streetviewsettlement.com.

PLEASE DO NOT TELEPHONE THE COURT OR THE COURT CLERK'S OFFICE TO INQUIRE ABOUT THIS SETTLEMENT.

SOURCE Spector Roseman & Kodroff, PC, Cohen Milstein Sellers & Toll PLLC, and Loeff Cabraser Heimann & Bernstein, LLP

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EXHIBIT 4

A.B. DATA, LTD.

Class Action Administration



November 19, 2009

via USPS Priority Mail

Re: *In Re: Google LLC Street View Electronic Communications Litigation*, Case No. 10-md-02184-CRB (N.D. California) 28 U.S.C. § 1715(b) Notification

Dear Sir or Madam:

Settlement Administrator A.B. Data, Ltd., on behalf of the Defendant in the above-referenced action (the “Action”), provides this notice as specified in the Class Action Fairness Act of 2005, 28 U.S.C. § 1715(b).

This Action is pending before United States District Court Judge Charles R. Breyer in the United States District Court for the Northern District of California. On July 19, 2019, the Plaintiff filed an unopposed motion for preliminary approval of a Class Action Settlement Agreement (the “Settlement Agreement”). On October 9, 2019, the Court issued an Order Granting Preliminary Approval of Class Action Settlement Agreement (the “Preliminary Approval Order”).

A hearing at which the court will consider final approval of the Settlement is currently scheduled for February 28, 2020, before Judge Charles R. Breyer, in the United States Courthouse, 450 Golden Gate Avenue, Courtroom 6 (17th Floor), San Francisco, CA 94102.

Please find enclosed a CD containing certain documents and information in “.pdf” format, as required by the Class Action Fairness Act. These include the following enclosures:

1. The Consolidated Class Action Complaint, filed on November 8, 2010;
2. The Settlement Agreement, executed on June 11, 2018;
3. The Preliminary Approval Order; and
4. The Notice of Class Action Settlement.

It is not feasible to provide a list of Class Members that reside in each state because Class Members’ identities and states of residency are unknown to the parties. It is also not feasible to provide a list of the proportionate share of any payments to Class Members by state because Class Members will not be receiving a direct monetary benefit under the terms of the Settlement. Rather, Defendant has agreed to pay \$13 million into a Settlement Fund, and the

money in the Settlement Fund will be distributed, as reviewed and approved by the Court, to non-profit organizations that have a track record of addressing consumer concerns regarding the privacy of their electronic communications, as well as to pay attorneys' fees and expenses as awarded by the Court, and the costs of giving notice of the Settlement to Class Members.

There are no contemporaneous agreements between Plaintiff's Counsel and Defendant's Counsel in conjunction with the proposed Settlement other than the enclosed Settlement Agreement. At this time, there has been no final judgment or notice of dismissal, and there are no written judicial opinions relating to the Settlement Agreement.

The foregoing information is provided based upon what is currently available to date and the status of the proceedings at the time of the submission of this notice.

Defendant is represented by Brian M. Willen of Wilson Sonsini Goodrich & Rosati. Please feel free to contact Mr. Willen directly at Wilson Sonsini Goodrich & Rosati, 650 Page Mill Road, Palo Alto, CA 94304, (650) 493-9300, with any questions.

Sincerely,

A.B. Data, Ltd.
Settlement Administrator on behalf of Defendant



A.B. DATA, LTD.

abdataclassaction.com

New York | Washington, D.C. | Chicago | West Palm Beach | Milwaukee

EXHIBIT 5

A.B. DATA, LTD.

Class Action Administration
600 A. B. Data Drive
Milwaukee, WI 53217
414-961-7523
accounting@abdataclassaction.com
abdataclassaction.com



SPECTOR ROSEMAN KODROFF &
WILLIS, P.C.
1818 MARKET STREET SUITE 250
PHILADELPHIA, PA, 19103

INVOICE INV000300070
PAGE 1/1
DATE 9/30/2019
CLIENT 744419

INVOICE

JOB 54272 Google Street View

DESCRIPTION	QTY	PRICE	AMOUNT
Project Fee	1	158,000.00	\$158,000.00

TOTAL \$158,000.00

MAIL CHECKS TO
PO Box 170062, Milwaukee, WI 53217
Make checks payable to A.B. DATA, LTD.

SEND WIRES TO
US BANK, N.A.
400 W. Brown Deer Road, Bayside, WI 53217
Routing Number 075000022
Account Number 182377466541 (AB Data, Ltd.)
Swift Code USBKUS44IMT