

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SANTA CLARA
UNLIMITED JURISDICTION – COMPLEX CIVIL LITIGATION**

ATTILA CSUPO, ANDREW BURKE &
KERRY HECHT, individually and on behalf of
all others similarly situated,

Plaintiffs,

v.

GOOGLE LLC,

Defendant.

Case No. 19CV352557

Assigned for all purposes to Dept. 1
Hon. Charles F. Adams

Date: 11/07/2023

Dept.: 1

Complaint filed: 08/09/2019

Fourth Am. Compl. filed: 02/01/2022

Trial Date: June 2, 2025

OFFICIAL COURT NOTICE

PLEASE READ THIS NOTICE CAREFULLY

**IT CONTAINS IMPORTANT INFORMATION ABOUT
YOUR RIGHTS AS A CLASS MEMBER.**

The Santa Clara County Superior Court authorized this Notice.

This is not a solicitation from a lawyer.

1. Why Should I Read This Notice?

This case, entitled *Attila Csupo et al. v. Google LLC*, Case No. 19–CV–352557 (the “Lawsuit”), has been certified to proceed as a class action in Santa Clara County Superior Court. You have been identified as a potential member of the Class. This Notice explains the nature of the Lawsuit and informs you of your legal rights and obligations. You should read this Notice to learn what this Lawsuit is about and what you need to do if you wish to exclude yourself as a class member or to enter an appearance through your own attorney. If you do not wish to exclude yourself from this Lawsuit, you do not need to do anything.

2. What Is This Lawsuit About?

Attila Csupo, Andrew Burke, and Kerry Hecht (“Plaintiffs”) filed this Lawsuit against Google LLC (“Google”). Plaintiffs use mobile phones that run Google’s Android operating system and have a cellular data plan. Plaintiffs allege that Google’s Android operating system causes the devices to use their cellular data to transfer a variety of information to Google without their permission. Plaintiffs allege that certain transfers occur in the background, without any notice

QUESTIONS? VISIT WWW.CELLULARDATACLASSACTION.COM OR CALL TOLL-FREE 1-844-440-3947

to the user, including when the phones are in a completely idle state, meaning they are not moving or being touched, with all apps closed. Plaintiffs allege that, although Google could make it so that these transfers happen only when the phones are connected to Wi-Fi, Google instead designed these transfers so they can also take place over a cellular network. Plaintiffs allege that Google's unauthorized use of their cellular data violates California law and requires Google to compensate Plaintiffs for the value of the cellular data that Google uses for its own benefit without their permission.

Google denies Plaintiffs' allegations. Google contends the transfers Plaintiffs complain about provide valuable benefits to users and cannot be limited to Wi-Fi. Google further contends that it discloses these transfers and obtains consent for them, including through user controls. The Court has not decided whether Plaintiffs or Google are right or whether Google should be required to compensate Plaintiffs.

The judge in this case is the Honorable Charles F. Adams. Judge Adams serves on the bench of the Santa Clara County Superior Court, located at 191 North First Street, San Jose, CA 95113.

3. Why Is This A Class Action?

Plaintiffs filed the Lawsuit as a class action because they believe that Google also misappropriated the cellular data of other Californians who use mobile phones running Google's Android operating system.

A class action is a type of lawsuit in which one or a few individuals called Class Representatives (*i.e.* Plaintiffs) sue on behalf of and represent a group of people who were allegedly harmed by a defendant's conduct. This group of people is referred to as the "Class" or as the "Class Members." Individual Class Members do not have to file their own separate lawsuits to participate in the class action, or to be bound by the judgment in the class action. One court resolves the issues for everyone in the Class, except for those who exclude themselves from the Class.

4. Who Is A Class Member For This Lawsuit?

You have been identified as a Class Member in this Lawsuit. The Class is defined as "all natural persons who, while residing in the State of California, have used a mobile phone running a Google-licensed version of the Android operating system with a cellular data plan from August 9, 2016, to the present." This time period is known as the "Class Period." Records indicate that you may be a resident of California who used a mobile phone running the Android operating system with a cellular data plan during the Class Period, meaning since August 9, 2016.

Excluded from the Class are any officers, directors, management, employees, subsidiaries, and affiliates of Google, and any judge or justice involved in the Lawsuit and the members of their immediate families and judicial staff.

5. How Do I Enter My Appearance In This Lawsuit?

Entering an appearance is **NOT** necessary to participate in the Lawsuit. Class Counsel will represent the Class because they have been appointed by the Court to do so. However, if you wish to do so, you can exclude yourself (see below) and be represented by your own attorney in this Lawsuit at your own expense, meaning you would have to pay for your own attorney yourself.

6. If I Do Not Want To Be In The Class, How Do I Exclude Myself?

If you do **NOT** want to remain a Class Member and wish to exclude yourself from the Lawsuit, you must submit via the Settlement website at www.CellularDataClassAction.com, a written notice of your intent to opt-out. The opt-out form requires you to provide your name, address, telephone number, and email address, and must be dated and signed by you. You may also print the opt-out form and mail it to:

Cellular Data Class Action
Attn: Opt Outs
P.O. Box 58220
Philadelphia, PA 19102

You must submit online by **May 15, 2025**, or mail your opt-out form **postmarked by May 15, 2025**.

By electing to be excluded from the Class: **1) you will not share in any recovery in the Lawsuit if a recovery is awarded or settlement is reached;** 2) you will not be bound by orders or judgments entered in the Lawsuit; and 3) you may present any claim you may have against Google for the conduct alleged in the Lawsuit in your own separate lawsuit at your own expense.

7. If I Remain As A Class Member, Who Represents Me?

The Court has appointed Plaintiffs Attila Csupo, Andrew Burke, and Kerry Hecht as the Class Representatives.

The Court has approved the law firms of Korein Tillery LLC and Bartlit Beck LLP to represent the Class, whose lead attorneys are identified below. They are called “Class Counsel.” You will not be charged personally for Class Counsel’s services. If you want to be represented by your own lawyer, you may hire one at your own expense.

Marc A. Wallenstein KOREIN TILLERY LLC 205 North Michigan Avenue, Suite 1950 Chicago, Illinois 60601	Glen E. Summers BARTLIT BECK LLP 1801 Wewatta Street, Suite 1200 Denver, CO 80202
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8. If I Remain A Member Of The Class, How Will My Claims Be Affected?

Unless you exclude yourself as a Class Member by submitting an opt-out form as described in Section 6 above, all of the Court's orders in this case will apply to you. If the Court rules on the claims in this Lawsuit, all members of the Class will be governed by the ruling; similarly, should the Court award any recovery or approve any settlement recovery for Class Members, you will recover the amount of that recovery that you are entitled to as a Class Member.

9. How Will Class Counsel's Fees And Expenses Be Paid?

If Plaintiffs are successful in pursuing the Lawsuit, Class Counsel will seek Court approval for an award of reasonable attorneys' fees, costs, and expenses from Google. Any amount of attorneys' fees, costs, and expenses sought by Class Counsel must be approved by the Court.

10. How Will The Costs Associated With The Notice And Administration Be Paid?

The costs associated with the notice and administration of the Lawsuit will be paid by Class Counsel. If Plaintiffs win, Class Counsel will request that the Court order Google to repay these costs and expenses. If Plaintiffs lose, Class Counsel will not be repaid for those costs.

11. When And Where Will The Court Decide Who Is Right?

The Court has scheduled a trial to decide who is right in this lawsuit. Trial is currently scheduled to begin **June 2, 2025**, at **9:00 a.m. PST**, at the Santa Clara County Superior Court, located at 191 North First Street, San Jose, CA 95113. During the trial, the jury will hear evidence to reach a decision about whether Plaintiffs or Google are right about the claims in the lawsuit. There is no guarantee that Plaintiffs will win or that they will get any money for the Class.

12. Do I Have To Come To The Trial?

You do not need to attend the trial. Class Counsel will present Plaintiffs' claims, and Defendant will present the defenses to those claims.

13. Where Can I Obtain More Information About This Lawsuit?

This Notice is only a summary of the proceedings in the Lawsuit. If you want more information about the Lawsuit, the Notice Administrator has created a website with additional information at www.CellularDataClassAction.com, or you may contact the Notice Administrator by phone at **1-844-440-3947**, or by mail at: Cellular Data Class Action Notice Administrator, 1650 Arch Street, Suite 2210, Philadelphia, PA 19103. Please include the case name and number of the Lawsuit, and your name and your current address on any communications.

You may also review the file in this case on the Court's website, <https://www.scscourt.org/>, and at the Court's public portal, <https://traffic.scscourt.org/search>, by entering the case

number 19CV352557 in the box entitled “Case Number Search” and clicking “search.” You may also review case materials in person at the Office of the Clerk, located at the Santa Clara County Superior Court, 191 North First Street, San Jose, California, 95113.

PLEASE DO NOT CALL THE COURT OR DEFENDANT’S ATTORNEYS