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10 Attorneys for Defendant
PELTON INTERACTIVE, INC.

11
12 UNITED STATES DISTRICT COURT
13 CENTRAL DISTRICT OF CALIFORNIA
14 WESTERN DIVISION

15 MARK COHEN, as an individual and
on behalf of all others similarly situated,

16 Plaintiff,

17 v.

18 PELTON INTERACTIVE, INC., a
19 Delaware corporation; and Does 1
20 through 50, inclusive,

21 Defendants.

CASE NO. 2:22-cv-01425

**DECLARATION OF MEGAN
COONEY IN SUPPORT OF
DEFENDANT PELTON
INTERACTIVE, INC.'S NOTICE OF
REMOVAL OF CLASS ACTION**

(Los Angeles County Superior Court Case
No. 22STCV00201)

Action Filed: January 3, 2022

1 I, Megan Cooney, hereby declare and state:

2 1. I am an attorney duly licensed to practice law before all the courts of the
3 State of California as well as the United States District Court for the Central District of
4 California. I am a partner in the law firm of Gibson, Dunn & Crutcher LLP, and am one
5 of the attorneys representing Defendant Peloton Interactive, Inc. (“Peloton”) in the
6 above-entitled action. Unless otherwise stated, I have personal knowledge of the matters
7 stated herein, and if asked to testify thereto, I would do so competently.

8 2. Attached hereto as **Exhibit A** is a true and correct copy of the Summons
9 issued on January 3, 2022 in *Cohen v. Peloton Interactive, Inc.*, Case No.
10 22STCV00201, in the Superior Court of California, County of Los Angeles.

11 3. Attached hereto as **Exhibit B** is a true and correct copy of the Class Action
12 Complaint filed on January 3, 2022 in *Cohen v. Peloton Interactive, Inc.*, Case No.
13 22STCV00201, in the Superior Court of California, County of Los Angeles.

14 4. Attached hereto as **Exhibit C** is a true and correct copy of the Civil Case
15 Cover Sheet filed on January 3, 2022 in *Cohen v. Peloton Interactive, Inc.*, Case No.
16 22STCV00201, in the Superior Court of California, County of Los Angeles.

17 5. Attached hereto as **Exhibit D** is a true and correct copy of the Civil Case
18 Cover Sheet Addendum filed on January 3, 2022 in *Cohen v. Peloton Interactive, Inc.*,
19 Case No. 22STCV00201, in the Superior Court of California, County of Los Angeles.

20 6. Attached hereto as **Exhibit E** is a true and correct copy of the Notice of
21 Posting Jury Fees filed on January 4, 2022 in *Cohen v. Peloton Interactive, Inc.*, Case
22 No. 22STCV00201, in the Superior Court of California, County of Los Angeles.

23 7. Attached hereto as **Exhibit F** is a true and correct copy of the First
24 Amended Class Action Complaint filed on January 28, 2022 in *Cohen v. Peloton*
25 *Interactive, Inc.*, Case No. 22STCV00201, in the Superior Court of California, County
26 of Los Angeles.

27 8. Attached hereto as **Exhibit G** is a true and correct copy of the Alternative
28 Dispute Resolution (ADR) Information Package served on February 1, 2022 in *Cohen*

1 *v. Peloton Interactive, Inc.*, Case No. 22STCV00201, in the Superior Court of
2 California, County of Los Angeles.

3 9. Attached hereto as **Exhibit H** is a true and correct copy of the Notice of
4 Service of Process Transmittal, reflecting that Plaintiff effected service of the Summons
5 and First Amended Class Action Complaint on Peloton on February 1, 2022.

6 10. Attached hereto as **Exhibit I** is a true and correct copy of the Proof of
7 Service of Summons, reflecting that Plaintiff effected service of the Summons, First
8 Amended Class Action Complaint, Civil Case Cover Sheet, Civil Case Cover Sheet
9 Addendum, and Alternative Dispute Resolution (ADR) Information Package on Peloton
10 on February 1, 2022 in *Cohen v. Peloton Interactive, Inc.*, Case No. 22STCV00201, in
11 the Superior Court of California, County of Los Angeles, filed on February 7, 2022.

12 11. Attached hereto as **Exhibit J** is a true and correct copy of the Initial Status
13 Conference Order (Complex Litigation Program) issued on February 15, 2022 in *Cohen*
14 *v. Peloton Interactive, Inc.*, Case No. 22STCV00201, in the Superior Court of
15 California, County of Los Angeles.

16 12. Attached hereto as **Exhibit K** is a true and correct copy of the Minute Court
17 Order Re: Complex Determination and Initial Status Conference issued on February 15,
18 2022 in *Cohen v. Peloton Interactive, Inc.*, Case No. 22STCV00201, in the Superior
19 Court of California, County of Los Angeles.

20 13. Attached hereto as **Exhibit L** is a true and correct copy of the Certificate
21 of Mailing for Minute Order Re: Complex Determination and Initial Status Conference
22 issued on February 15, 2022 in *Cohen v. Peloton Interactive, Inc.*, Case No.
23 22STCV00201, in the Superior Court of California, County of Los Angeles.

24 14. Attached hereto as **Exhibit M** is a true and correct as-filed copy of
25 Peloton's Answer to Plaintiff's First Amended Class Action Complaint filed and served
26 on March 1, 2022 in *Cohen v. Peloton Interactive, Inc.*, Case No. 22STCV00201, in the
27 Superior Court of California, County of Los Angeles. Peloton will supplement the
28 record with a file-stamped copy when received.

1 15. Attached hereto as **Exhibit N** is a true and correct copy of the Filing
2 Confirmation of Peloton’s Answer to Plaintiff’s First Amended Class Action Complaint
3 filed on March 1, 2022 in *Cohen v. Peloton Interactive, Inc.*, Case No. 22STCV00201,
4 in the Superior Court of California, County of Los Angeles.

5 16. In accordance with 28 U.S.C. § 1446(a), Exhibits A through N include “all
6 process, pleadings, and orders” available to Peloton in this action as of the date of this
7 filing.

8
9 I declare under penalty of perjury under the law of the State of California and the
10 United States of America that the forgoing is true and correct and that this declaration
11 was executed on March 2, 2022 at Coto de Caza, California.

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14 */s/ Megan Cooney*
15 Megan Cooney
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EXHIBIT A

Explore Litigation Insights

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