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

James Lee (admitted *pro hac vice*)
BOIES SCHILLER FLEXNER LLP
100 SE 2nd St., 28th Floor
Miami, FL 33131
Tel.: (305) 539-8400
jlee@bsfllp.com

Amanda K. Bonn, CA Bar No. 270891
SUSMAN GODFREY L.L.P
1900 Avenue of the Stars, Suite 1400
Los Angeles, CA 90067
Tel: (310) 789-3100
Fax: (310) 789-3150
abonn@susmangodfrey.com

Attorneys for Plaintiffs

Bill Carmody (admitted *pro hac vice*)
Shawn J. Rabin (admitted *pro hac vice*)
Steven M. Shepard (admitted *pro hac vice*)
Alexander P. Frawley
(admitted *pro hac vice*)
SUSMAN GODFREY L.L.P.
1301 Avenue of the Americas,
32nd Floor
New York, NY 10019
Tel.: (212) 336-8330
bcarmody@susmangodfrey.com
srabin@susmangodfrey.com
sshepard@susmangodfrey.com
afrawley@susmangodfrey.com

John A. Yanchunis (admitted *pro hac vice*)
Ryan J. McGee (admitted *pro hac vice*)
Michael F. Ram, CA Bar No. 238027
Ra O. Amen (admitted *pro hac vice*)
MORGAN & MORGAN
201 N. Franklin Street, 7th Floor
Tampa, FL 33602
Tel.: (813) 223-5505
jyanchunis@forthepeople.com
rmcgee@forthepeople.com
mram@forthepeople.com
ramen@forthepeople.com

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ANIBAL RODRIGUEZ, SAL CATALDO, 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

PLAINTIFFS' RULE 15(a) MOTION FOR LEAVE TO AMEND COMPLAINT (R. CIV. P. 15(a))

The Honorable Richard Seeborg
Courtroom 3 – 17th Floor
Date: December 8, 2022
Time: 1:30 p.m.

NOTICE OF MOTION AND MOTION FOR LEAVE TO AMEND COMPLAINT

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that on December 8, 2022, at 1:30 p.m., or as soon thereafter as the matter may be heard in Courtroom 3, 17th Floor, 450 Golden Gate Avenue, San Francisco, California, before the Honorable Richard Seeborg, the undersigned Plaintiffs will and hereby do move the Court for an order pursuant to Rule 15(a) of the Federal Rules of Civil Procedure granting Plaintiffs leave to file their proposed Fourth Amended Complaint, which seeks to revise Plaintiffs' proposed class definitions. This Motion is based upon this Notice and Motion, the following Memorandum of Points and Authorities, the Declaration of Mark C. Mao, other materials in the record, argument of counsel, and such other matters as the Court may consider.

ISSUE PRESENTED

Whether Plaintiffs should be granted leave to file their proposed Fourth Amended Complaint, which, based on discovery, seeks to clarify the true scope of Google's improper collection, saving, and use of data collected from users who switched off Web & App Activity?

RELIEF REQUESTED

Plaintiffs respectfully request an Order providing that Plaintiffs may file their proposed Fourth Amended Complaint, attached as Exhibit 1 to the concurrently filed Declaration of Mark C. Mao. A redline showing the proposed changes to the Complaint is attached as Exhibit 2 to the Mao Declaration.

Dated: October 28, 2022

BOIES SCHILLER FLEXNER LLP

By: */s/ Mark Mao*
Mark C. Mao (CA Bar No. 236165)

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