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**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION**

JONATHAN DIAZ and LEWIS  
BORNMANN, on behalf of themselves  
and all others similarly situated,

Plaintiffs,

v.

GOOGLE LLC,

Defendant.

Case No.: 5:21-cv-03080-NC

**PLAINTIFFS' BRIEF IN SUPPORT OF  
PRELIMINARY SETTLEMENT  
APPROVAL**

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**NOTICE OF MOTION AND MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT**

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PLEASE TAKE NOTICE that on June 22, 2022 at 1:00 p.m. by Zoom webinar, Plaintiffs will and hereby do move the Court for an order granting preliminary approval of the proposed settlement with Defendant in this action.

Plaintiffs request that the Court: (1) find it will likely approve the Settlement; (2) find it will likely certify the Settlement Class; (3) appoint Plaintiffs as Class Representatives for the Settlement Class for purposes of disseminating notice; (4) appoint Michael W. Sobol and Douglas I. Cuthbertson of Lieff, Cabraser, Heimann & Bernstein, LLP as counsel for the Settlement Class; (5) direct notice to the Settlement Class in connection with the Settlement, and approve the form and manner thereof; (6) authorize retention of KKC LLC as Settlement Administrator; and (7) set a schedule for final approval of the Settlement and Class Counsel’s request for attorneys’ fees and expenses. This motion is supported by the attached Memorandum of Points and Authorities, the attached Declarations of Douglas I. Cuthbertson, David R. Choffnes, and Carla A. Peak, as well as all papers and records on file in this matter, and such other matters as the Court may consider.

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