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15 **UNITED STATES DISTRICT COURT**  
16 **NORTHERN DISTRICT OF CALIFORNIA**  
17 **SAN JOSE DIVISION**

18 MARY KATHERINE ARCELL, *et al.*,  
19 Plaintiffs,

20 v.

21 GOOGLE LLC, ALPHABET INC., XXVI  
22 HOLDINGS INC., APPLE INC., TIM  
23 COOK, SUNDAR PICHAI, and ERIC  
SCHMIDT,

24 Defendants.

Case No. 5:22-cv-2499-EJD

**DEFENDANTS' NOTICE OF MOTION  
AND MOTION TO DISMISS PLAINTIFFS'  
COMPLAINT; MEMORANDUM OF  
POINTS AND AUTHORITIES IN  
SUPPORT THEREOF**

Hearing Date: November 3, 2022  
Time: 9:00 a.m.  
Place: Courtroom 4  
Judge: Hon. Edward J. Davila

**NOTICE OF MOTION AND MOTION**

**TO THE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF RECORD:**

**PLEASE TAKE NOTICE** that on November 3, 2022, at 9:00 a.m., or as soon thereafter as this matter may be heard, in Courtroom 4 of this Court, located on the 5th Floor of the United States Courthouse, 280 South 1st Street, San Jose, California, Defendants Google LLC, Alphabet Inc., XXVI Holdings Inc., Apple Inc., Tim Cook, Sundar Pichai, and Eric Schmidt (collectively, “Defendants”) will move the Court for an order dismissing Plaintiffs’ Complaint pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure.

Defendants respectfully request an order dismissing without leave to amend all causes of action brought against them in the above-captioned matter. This Motion is based upon this Notice; the accompanying Memorandum of Points and Authorities; any reply memorandum; the pleadings and files in this action; and such other matters Defendants may present at or before the hearing.

DATED: June 24, 2022

**WILLIAMS & CONNOLLY LLP**

By: /s/ John E. Schmidlein

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