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14
 15 UNITED STATES DISTRICT COURT
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 17 NORTHERN DISTRICT OF CALIFORNIA
 18
 19 SAN JOSE DIVISION

20 IN RE: GOOGLE LOCATION HISTORY
LITIGATION

Case No. 5:18-cv-05062-EJD

21 **DECLARATION OF NAPOLEON**
 22 **PATACSYL IN SUPPORT OF**
 23 **MOTION FOR ATTORNEYS' FEES**
 24 **AND EXPENSES, AND FOR CLASS**
 25 **REPRESENTATIVE SERVICE**
 26 **AWARDS**

27 Dept: Courtroom 4 - 5th Floor
 28 Judge: Hon. Edward J. Davila
 Date: April 18, 2024
 Time: 9:00 A.M.

1 I, Napoleon Patacsil, declare as follows:

2 1. I am one of the class representatives in this case.

3 2. I submit this declaration in support of Plaintiffs' Motion for Attorneys' Fees and
4 Expenses, and for Class Representative Service Awards in the above-captioned case. I have
5 personal knowledge of the facts stated herein. If called upon as a witness, I could and would
6 competently testify as follows.

7 3. I am a competent adult over the age of eighteen years of age and a resident of
8 California.

9 4. I retained attorneys experienced in consumer class action litigation to represent me
10 in this matter. At the outset of the case, I was informed of and understood my duties as a class
11 representative, and believe that I have fulfilled these duties.

12 5. I have voluntarily and actively participated in this litigation, including by discussing
13 the facts surrounding my own use of Google's services, and Google's representations to me about
14 its collection of location information.

15 6. My attorneys have regularly sought my assistance in prosecuting this lawsuit and
16 negotiating a potential resolution of it.

17 7. I reviewed and approved the complaint filed on my behalf, in *Patacsil v. Google*
18 *LLC*, Case No. 5:18-cv-05062-EJD (N.D. Cal.), before it was filed. When the case was
19 consolidated with other cases alleging the same or similar facts and legal theories, I also agreed to
20 serve as a named plaintiff in the consolidated action.

21 8. I reviewed and approved the complaints in the consolidated action before they were
22 filed. When Google moved to dismiss those complaints, I kept in contact with my attorneys and
23 was apprised of the status of those motions. I also reviewed and discussed with my attorneys the
24 Court's orders regarding those motions to dismiss.

25 9. I actively participated in discovery in this action. I reviewed and discussed with my
26 attorneys the extensive and broad discovery served by Google in this case. Consistent with my
27 discovery obligations, I preserved and conducted a diligent search for both hard copies and
28 electronic copies of relevant documents, and provided my attorneys with the information they

1 needed to prepare initial disclosures and written discovery responses. I participated in numerous
2 meetings with my attorneys to prepare written responses to Google’s discovery requests, turned
3 my personal mobile devices over to my counsel and their forensic data experts, and provided
4 personal data from my devices and accounts, despite my privacy concerns. I even addressed
5 discovery inquiries that extended as far as family law disputes and criminal history.

6 10. I kept in close contact with my attorneys to monitor the progress of the litigation.
7 When the case went to mediation, my attorneys regularly updated me about the status of
8 negotiations, and I made myself available in case I was needed.

9 11. I have reviewed the Settlement Agreement and its exhibits. My attorneys and I
10 reviewed and discussed the core terms of the Settlement, and they answered all of my questions. I
11 conducted a final review of the Settlement Agreement, understood and freely agreed to the terms
12 of the proposed settlement, and later on signed it.

13 12. I did not contemporaneously record the time I spent on this case over the past
14 approximately five-and-one-half years. However, my attention to this case has been frequent over
15 that period of time, taking time out of my schedule at some point during virtually every month the
16 case has been pending, and at times several times a week. To the best of my recollection, I estimate
17 that I spent, very conservatively, approximately 3 hours per month on average on this case
18 throughout the pendency of the litigation, and up to 15 hours per month when more time was
19 required—or at least 180 hours in total.

20 13. I believe the monetary and injunctive relief provided by the settlement represent a
21 fair resolution of my claims against Google. I approve and support the Settlement Agreement
22 because I believe that it is fair, reasonable, and in the best interests of the class, and obtaining this
23 relief now is preferable to continuing this litigation with an uncertain outcome.

24 14. While I did not undertake any direct financial risks in pursuing this action, I
25 understood that, by stepping forward as a named plaintiff in this case, I took certain risks, and that
26 the case was likely to generate some publicity and be associated with my name in the future. I also
27 was aware that stepping forward as a plaintiff in this lawsuit may have a negative impact on certain
28 aspects of my life. Despite these risks, I decided to pursue this case because I felt it was more

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important to vindicate the rights of millions of consumers who used mobile devices and whose Location Information was stored by Google while ‘Location History’ was disabled.

15. I have never been promised any compensation for performing my duties as a plaintiff and a class representative, including any service award, and am aware of no interest of mine in this litigation that conflicts with those of other class members.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed on this 23 day of January 2024, in San Diego, California.

DocuSigned by:
Napoleon Patacsil
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Napoleon Patacsil