

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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

IN RE GOOGLE DIGITAL
ADVERTISING ANTITRUST
LITIGATION

Case No. 5:20-cv-03556-BLF

~~PROPOSED~~ **ORDER REGARDING
APPOINTMENT OF COUNSEL**

Courtroom: 3, 5th Floor, San Jose
Judge: Hon. Beth Labson Freeman

1 **I. APPOINTMENT OF INTERIM CLASS COUNSEL**

2 Pursuant to Federal Rule of Civil Procedure 23(g)(3), the Court appoints Dena Sharp of Girard
3 Sharp LLP and Tina Wolfson of Ahdoot & Wolfson, P.C. as interim co-lead counsel for the
4 proposed *Advertising* class; and also appoints Archana Tamoshunas of Taus, Cebulash & Landau,
5 LLP; and April D. Lambert of the Radice Law Firm, P.C. as members of the *Advertising* Plaintiffs’
6 steering committee.

7 Consistent with the Court’s instruction at the April 1 hearing, the Court will invite submissions
8 concerning ongoing leadership of both the *Advertising* and *Publisher* actions following resolution of
9 the pleadings in both cases. *See* 4/1/21 Hr’g Tr. at 4, 26.

10 **II. DUTIES OF INTERIM CLASS COUNSEL**

11 Interim co-lead counsel shall have authority to conduct all pretrial and trial work on behalf of
12 the proposed class. Such work includes crafting pleadings, conducting discovery, and negotiating case
13 matters and settlement as well as all other pretrial and trial proceedings.

14 Interim co-lead counsel shall be authorized and responsible for overseeing the following tasks:

- 15 1. Directing overall case strategy, scheduling, and case management for the plaintiffs and
16 the proposed class.
- 17 2. Investigating claims on behalf of the plaintiffs and the proposed class.
- 18 3. Drafting any amended complaints, including identifying claims to be made in such
19 complaints and selecting class representatives.
- 20 4. Coordinating and conducting all discovery.
- 21 5. Determining and presenting (in briefs, oral argument, or any such other fashion as may
22 be appropriate, personally or by a designee) to the Court and opposing parties the
23 position of the plaintiffs and the proposed class(es) on all matters.
- 24 6. Drafting and serving all pleadings and filings, including briefs, legal memoranda, and
25 discovery requests either personally or by a designee.
- 26 7. Conducting arguments, court hearings, and appearances.
- 27 8. Communicating with opposing counsel, governmental and regulatory authorities, and
28 the Court.

- 9. Hiring consultants, vendors, and other litigation professionals.
- 10. Retaining experts and preparing reports.
- 11. Assessing common litigation costs and collecting such assessments.
- 12. Initiating and conducting settlement discussions with any opposing party and entering into any settlement agreements on behalf of the purported class(es).
- 13. Maintaining comprehensive, contemporaneous billing records and expense reports on behalf of all counsel submitting time and expenses in this matter, including recommendations to the Court as to what fees and expenses should be awarded in this matter.
- 14. Ensuring that work assignments are not given to any firm that has not promptly submitted its time and expense records or paid its assessments.

Interim co-lead counsel will designate members of Plaintiffs’ steering committee to assist with the litigation with respect to the above or any other matters. No counsel may purport to act on behalf of the *Advertising* class without interim co-lead counsel’s express authorization. Opposing counsel may rely on the conduct and representations of interim co-lead counsel, or members of Plaintiffs’ steering committee designated to perform particular tasks, on behalf of plaintiffs and the proposed class for any issue in the litigation.

IT IS SO ORDERED.

Date: April 26, 2021



Hon. Beth L. Freeman
United States District Judge