

Eric H. Gibbs (SBN 178658)
Andre M. Mura (SBN 298541)
David Stein (SBN 257465)
Jeffrey B. Kosbie (SBN 305424)
Ezekiel S. Wald (SBN 341490)
GIBBS LAW GROUP LLP
1111 Broadway, Suite 2100
Oakland, California 94607
Telephone: (510) 350-9700
Facsimile: (510) 350-9701
ehg@classlawgroup.com
amm@classlawgroup.com
ds@classlawgroup.com
jbk@classlawgroup.com
zsw@classlawgroup.com

Attorneys for Plaintiffs and the Proposed Class

[Additional counsel on signature page]

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

CAT BROOKS and RASHEED SHABAZZ,
individually and on behalf of all others
similarly situated,

Plaintiffs,

v.

THOMSON REUTERS CORPORATION,

Defendant.

Case No. 3:21-cv-1418-EMC

JOINT STATUS REPORT

Judge: Hon. Edward M. Chen
Date: July 26, 2022
Time: 2:30 p.m.
Courtroom: 5

Pursuant to the Clerk's notice dated April 22, 2022 (Docket 87) and L.R. 16-10(d), Plaintiffs Cat Brooks and Rasheed Shabazz ("Plaintiffs") and Defendant Thomson Reuters Corporation (collectively, the "Parties") submit this Joint Status Report in advance of the Case Management Conference set for July 26, 2022 in the above-captioned action.

1. BACKGROUND

The Complaint in this case was filed in California Superior Court on December 3, 2020, and the action was removed to this Court on February 26, 2021. *See* Dkt. 1. On August 16, 2021, the Court denied in part and granted in part Defendant's Motion to Dismiss the Complaint pursuant to Federal Rule of Civil Procedure ("Rule") 12(b)(6), and Motion to Strike Complaint pursuant to Cal. Civ. Proc. Code § 425.16(b)(1). *See* Dkt. 54. The Court entered the Parties' stipulated case schedule on August 26, 2021, *see* Dkt. 59, and Defendant filed its Answer to the Complaint on September 10, 2021. *See* Dkt. 60. The Court entered the Parties' stipulated amended case schedules on March 1, 2022, *see* Dkt. 78, and March 31, 2022. *See* Dkt. 84.

2. DISCOVERY

The Parties have met and conferred pursuant to Rule 26(a)(1), made their initial disclosures, exchanged written discovery requests, and entered a stipulated Protective Order, *see* Dkt. 70, and an Order regarding Discovery of Electronically Stored Information, *see* Dkt. 72. Defendant has responded to Plaintiffs' discovery requests, has made multiple productions of responsive documents, and the parties continue to meet and confer regarding subsequent rolling productions. The Parties have had two discovery disputes regarding Thomson Reuters' data licensing agreements for CLEAR, *see* Dkt. 82, and account access credentials for Plaintiffs to access and search CLEAR, *see* Dkt. 95. In response to the Parties' first discovery dispute, the Court ordered Thomson Reuters to produce all data licensing agreements for CLEAR. *See* Dkt. 92. After the Court's Order, a non-party, File & ServeXpress, moved for a protective order barring production of its licensing agreement. *See* Dkt. 88. A hearing on File & ServeXpress's motion was held on June 30, 2022, and the Court ordered production of the agreement under the Parties' existing Protective Order. *See* Dkt. 99. Thomson Reuters produced the agreement on July 6, 2022. In response to the Parties' second discovery dispute regarding account access credentials

for Plaintiffs to access and search CLEAR, the Court referred the Parties to Magistrate Judge Kandis Westmore for discovery. *See* Dkt. 96. The parties attended a telephonic discovery conference with Judge Westmore regarding the second discovery dispute, after which Judge Westmore issued a minute order stating that “[t]he parties will continue to meet and confer via videoconference and, per the Court’s guidance, will file another joint letter that more clearly defines and narrows disputes that cannot be resolved without Court intervention, if any.”

Plaintiffs have substantially completed production in response to Defendant’s discovery requests, and have produced their Primary Class Certification Expert Reports. Plaintiffs have taken three depositions of Thomson Reuters employees to date. Paul Godlewski, a Senior Director of Outbound Product Marketing, was deposed on May 6, 2022. Steve Fox, a Director of Product Development, was deposed on May 16, 2022. Dori Buckethal, a Vice President of Inbound Product Marketing, was deposed on May 18, 2022. Plaintiffs have requested deposition availability of an additional Thomson Reuters employee, Eric Gerhard, a lead product manager for CLEAR. Thomson Reuters will be deposing Plaintiff Cat Brooks on August 10, 2022, and has requested deposition availability for Plaintiffs’ Primary Class Certification Experts between August 17 and August 26. Thomson Reuters has also requested deposition availability for Plaintiff Rasheed Shabazz between August 17 and September 1.

3. SCHEDULING

The Parties agree that private mediation is appropriate for this case, and they believe that a deadline of October 24, 2022, would be appropriate, as indicated in the Parties’ stipulated case schedule, *see* Dkt. 84.

Dated: July 19, 2022

Respectfully submitted,

/s/ Andre M. Mura

Eric H. Gibbs (SBN 178658)
Andre M. Mura (SBN 298541)
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Jeffrey B. Kosbie (SBN 305424)

Ezekiel S. Wald (SBN 341490)

GIBBS LAW GROUP LLP

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Telephone: (510) 350-9700

Facsimile: (510) 350-9701

ehg@classlawgroup.com

amm@classlawgroup.com

ds@classlawgroup.com

jbk@classlawgroup.com

zsw@classlawgroup.com

Jennifer D. Bennett (SBN 296726)

Neil K. Sawhney (SBN 300130)

GUPTA WESSLER PLLC

100 Pine Street, Suite 1250

San Francisco, CA 94111

Telephone: (415) 573-0336

jennifer@guptawessler.com

neil@gutawessler.com

Benjamin Elga (pro hac vice)

Alice Buttrick (pro hac vice)

JUSTICE CATALYST LAW INC.

123 William Street, 16th floor

New York, NY 10038

Telephone: (518) 732-6703

belga@justicecatalyst.org

abuttrick@justicecatalyst.org

Albert Fox Cahn (pro hac vice)

SURVEILLANCE TECHNOLOGY

OVERSIGHT PROJECT

40 Rector Street, 9th Floor

New York, NY 10006

albert@stopspying.org

*Attorneys for Plaintiffs Cat Brooks and
Rasheed Shabazz and the Proposed Class*

DATED: July 19, 2022

PERKINS COIE LLP

/s/ Susan D. Fahringer

1 Susan D. Fahringer, Bar No. 21567
2 Nicola C. Menaldo, *pro hac vice*
3 Erin K Earl, *pro hac vice*
4 Anna M. Thompson, *pro hac vice*
5 **PERKINS COIE LLP**
6 1201 Third Avenue, Suite 4900
7 Seattle, WA 98101-3099
8 Telephone: (206) 359-8000
9 Facsimile: (206) 359-9000
10 SFahringer@perkinscoie.com
11 NMenaldo@perkinscoie.com
12 EEarl@perkinscoie.com
13 AnnaThompson@perkinscoie.com

9 Hayden M. Schottlaender, *pro hac vice*
10 **PERKINS COIE LLP**
11 500 N. Akard Street, Suite 3300
12 Dallas, Texas 75201-3347
13 Telephone: (214) 965-7700
14 Facsimile: (214) 965-7799
15 HSchottlaender@perkinscoie.com

14 Gabriella Gallego, Bar No. 324226
15 **PERKINS COIE LLP**
16 3150 Porter Drive
17 Palo Alto, CA 94304-1212
18 Telephone: (650) 838-4300
19 Facsimile: (650) 838-4350
20 GGallego@perkinscoie.com

18 *Attorneys for Defendant*
19 *Thomson Reuters Corporation*

ATTESTATION

Pursuant to Civil Local Rule 5-1(i)(3), I attest that concurrence in the filing of this document has been obtained from the other signatory.

/s/ Andre M. Mura