

EXHIBIT A-15

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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

BEFORE THE HONORABLE EDWARD M. CHEN

CAT BROOKS AND RASHEED SHABAZZ,	)	
INDIVIDUALLY AND ON BEHALF OF	)	
ALL OTHERS SIMILARLY SITUATED,	)	
	)	
PLAINTIFFS,	)	
	)	
VS.	)	CASE NO. 21-CV-01418-EMC
	)	
THOMSON REUTERS CORPORATION,	)	
	)	SAN FRANCISCO, CALIFORNIA
DEFENDANT.	)	VIA ZOOM VIDEOCONFERENCE
	)	THURSDAY, JUNE 30, 2022
	)	

TRANSCRIPT OF PROCEEDINGS

APPEARANCES:

FOR PLAINTIFFS

GIBBS LAW GROUP LLP
505 14TH STREET, SUITE 1110
OAKLAND, CA 94612

**BY: ANDRE MURA, ESQUIRE
EZEKIEL WARD, ESQUIRE**

FOR DEFENDANT

PERKINS COIE
1201 THIRD AVENUE, SUITE 4900
SEATTLE, WA 98101-3099

BY: NICOLA MENALDO, ESQUIRE

FOR MOVANT

FOLEY AND LARDNER LLP
555 CALIFORNIA STREET, SUITE 1700
SAN FRANCISCO, CALIFORNIA 94102

BY: JASON Y. WU, ESQUIRE

**REPORTED BY: JOAN MARIE COLUMBINI, CSR #5435, RPR
PRO TEM OFFICIAL COURT REPORTER, USDC**

1 I SEE THE ONLY ALLEGATIONS RELATING TO THE FACT THAT THOMSON
2 REUTERS ALLEGEDLY DISCLOSED THE INFORMATION.

3 SO OUR CLIENT'S CONTRACT WITH THOMSON REUTERS ONLY
4 RELATES TO ISSUE OF THOMSON REUTERS OBTAINING THAT INFORMATION
5 IN THE FIRST INSTANCE. IT'S NOT GOING TO GO TO THESE ISSUES OF
6 DISSEMINATION THAT SEEM TO BE AT THE HEART OF THE COMPLAINT.

7 **THE COURT:** ALL RIGHT. LET ME HEAR THE RESPONSE TO
8 THAT. THERE'S KIND OF A DOUBLE RELEVANCE ISSUE HERE. ONE IS,
9 WHAT DOES IT MATTER WHAT FSX DID AND WHAT THE TERMS OF THEIR
10 CONTRACT ARE, GIVEN THE NATURE OF THE CLAIM, AND IS IT
11 SPECULATIVE THAT GATHERING OF INFORMATION FROM THE DELAWARE
12 COURT IS GOING TO HAVE NOTHING TO DO WITH THIS CLASS. LET ME
13 HEAR THE PLAINTIFFS' RESPONSE TO THAT.

14 **MR. WALD:** YES, YOUR HONOR. THE PLAINTIFFS' RESPONSE
15 IS TWOFOLD.

16 WITH RESPECT TO THE CLAIMS FOCUSING ON DISSEMINATION,
17 I THINK THE PLAINTIFFS WOULD DISAGREE WITH THAT
18 CHARACTERIZATION. AND THE CLASS DEFINITION IN THIS CASE IS ALL
19 PERSONS RESIDING IN THE STATE OF CALIFORNIA WHOSE NAME,
20 PHOTOGRAPHS, PERSONAL IDENTIFYING INFORMATION, OR OTHER
21 PERSONAL DATA IS, OR WAS, INCLUDED IN THE CLEAR DATABASE DURING
22 THE LIMITATIONS PERIOD.

23 SO THE INFORMATION THAT THOMPSON REUTERS COLLECTS,
24 AGGREGATES, AND MAKES AVAILABLE THROUGH CLEAR IS THE BASIS OF
25 THE COMPLAINT, INCLUDING INFORMATION THAT IS DISSEMINATED OR

1 INFORMATION THAT MIGHT BE AVAILABLE FOR DISSEMINATION IN THE
2 FUTURE.

3 **THE COURT:** SO THE THEORY OF THE COMPLAINT IS NOT
4 JUST THE DISSEMINATION, BUT IT IS THE COLLECTION?

5 **MR. WALD:** I THINK THAT'S CORRECT, YOUR HONOR.

6 **THE COURT:** AND, THEREFORE, WHATEVER THE METHODS OF
7 COLLECTION, THE BREADTH OF THE COLLECTION BECOMES RELEVANT?

8 **MR. WALD:** THE BREADTH OF THE COLLECTION, THE METHODS
9 OF THE COLLECTION, THE INFORMATION THAT IS COLLECTED, AND HOW
10 THAT INFORMATION IS MADE AVAILABLE, DISSEMINATED, OR MIGHT ONE
11 DAY BE DISSEMINATED ARE RELEVANT.

12 **THE COURT:** WHAT ABOUT THE REMOTENESS OF NEW JERSEY?

13 **MR. WALD:** WITH RESPECT TO THE FACT THAT THIS
14 INFORMATION IS ORIGINATING FROM DELAWARE STATE COURTS, YOUR
15 HONOR, PLAINTIFFS DON'T BELIEVE THAT THAT REDUCES THE RELEVANCE
16 FOR TWO REASONS.

17 FIRST, THE METHODS AND MEANS BY WHICH THOMSON REUTERS
18 COLLECTS, AGGREGATES, OBTAINS THIS INFORMATION, THE FREQUENCY
19 WITH WHICH INFORMATION IS UPDATED, THE PRICING AND VALUATION OF
20 DIFFERENT FORMS OF INFORMATION, ALL OF THIS IS RELEVANT TO
21 UNDERSTANDING THE THOMPSON REUTERS CLEAR PRODUCT, THE
22 INFORMATION IT CONTAINS, HOW THEY GO ABOUT OBTAINING IT.

23 SO PLAINTIFFS BELIEVE THE LICENSING AGREEMENTS THAT
24 INVOLVE THIS PRODUCT'S OBTAINING INFORMATION THAT IS THEN MADE
25 AVAILABLE ARE RELEVANT, INDEPENDENT OF WHETHER THE PARTICULAR

1 INFORMATION SUBJECT TO ONE LICENSING AGREEMENT MIGHT
2 SPECIFICALLY PERTAIN TO INDIVIDUAL CLASS MEMBERS OR NOT.

3 ON THE SECONDHAND, PLAINTIFFS ALSO DISAGREE IT IS A
4 SPECULATIVE ARGUMENT THAT INFORMATION ABOUT CALIFORNIANS MIGHT
5 BE INCLUDED IN FILINGS THAT ORIGINATE FROM DELAWARE STATE
6 COURTS, AND WE THINK THIS IS A COMMON SENSE ARGUMENT.
7 CALIFORNIANS CLEARLY LITIGATE IN DELAWARE STATE COURTS AND HAVE
8 LITIGATED IN DELAWARE STATE COURTS DURING THE CLASS PERIOD, AND
9 PEOPLE MOVE FROM STATE TO STATE ALL THE TIME.

10 SO WE WOULD DISAGREE WITH THE CHARACTERIZATION OF THE
11 ARGUMENT ON THE FIRSTHAND, AND WOULD ADDITIONALLY ARGUE THAT
12 THIS INFORMATION WOULD BE RELEVANT EVEN IF YOU TOOK THE
13 ARGUMENT ON ITS FACE.

14 **THE COURT:** LET ME ASK YOU, I MEAN, THE COMPLAINT
15 SEEMS TO BE REALLY FOCUSED ON REUTERS COLLECTING AND SELLING
16 INFORMATION, MAKING SUBSTANTIAL PROFITS ON THE SALE OF
17 INFORMATION. IS THERE -- WHERE IS THERE A CLASS -- A
18 SUBSTANTIVE CLAIM FOR THE MERE COLLECTION OF INFORMATION
19 DIVORCED FROM SALES?

20 **MR. WALD:** YOUR HONOR, I THINK THE KEY CONNECTION IS
21 THAT NONE OF THIS INFORMATION WOULD BE AVAILABLE FOR SALE TO
22 ANY OF THOMPSON REUTERS CUSTOMERS WERE THEY NOT LICENSING THAT
23 INFORMATION FROM ENTITIES LIKE FSX.

24 AND SO UNDERSTANDING THE NATURE BY WHICH THOMSON
25 REUTERS IS COLLECTING THAT INFORMATION IS KEY TO UNDERSTANDING

1 THE CONTOURS OF THE DATABASE AND HOW THEY MIGHT GO ABOUT
2 DISSEMINATING AND SELLING THAT INFORMATION IN THE FUTURE, WHAT
3 INFORMATION IS AVAILABLE, HOW IT'S MADE AVAILABLE, WE BELIEVE
4 THAT IS CLEARLY RELEVANT TO THE CLAIMS IN THIS CASE.

5 **THE COURT:** CAN YOU DETERMINE THE BREADTH AND
6 CONTOURS OF REUTERS' INFORMATION WITHOUT LOOKING AT THE FSX
7 CONTRACT?

8 **MR. WALD:** I THINK TO THE EXTENT THAT THE FSX
9 CONTRACT ILLUMINATES HOW THOMSON REUTERS COLLECTS PARTICULAR
10 INFORMATION AND THE RELATIVE VALUE OF DIFFERENT PIECES OF
11 INFORMATION, WHICH PLAINTIFFS BELIEVE IS RELEVANT BOTH TO THEIR
12 UCL CLAIMS AND TO THEIR UNJUST ENRICHMENT CLAIMS, THE EXISTENCE
13 OF ADDITIONAL LICENSING AGREEMENTS AND THE CONTOURS OF THOSE
14 LICENSING AGREEMENTS REMAIN RELEVANT, EVEN IF OTHER INFORMATION
15 SPEAKS TO THE SAME ISSUE OR AT LEAST TO RELATED ISSUES, AND --

16 **THE COURT:** EXPLAIN TO ME HOW IT IS THAT HOW REUTERS
17 COLLECTS THE INFORMATION IS RELEVANT IF YOU KNOW WHAT
18 INFORMATION IT HAS AND THEN WHAT IT DOES WITH IT ONCE IT THAT
19 IS INFORMATION. WHAT DIFFERENCE DOES IT MAKE IF THEY GOT IT
20 THROUGH ONE VENDOR OR ANOTHER, FOR INSTANCE?

21 **MR. WALD:** I THINK PLAINTIFFS BELIEVE THAT THE MANNER
22 OF COLLECTION COULD BE RELEVANT TO UNDERSTANDING THE NATURE AT
23 WHICH THE INFORMATION MIGHT IMPACT THE INTERESTS OF
24 CALIFORNIANS. FOR EXAMPLE, YOU COULD IMAGINE BUYING
25 INFORMATION THAT IS SCRAPED BY A WEB CRAWLER THAT INDIVIDUALS

1 HAVE NO IDEA IS OCCURRING MIGHT BE DIFFERENT FROM BUYING ACCESS
2 TO INFORMATION THAT INDIVIDUALS HAVE PUBLICLY MADE AVAILABLE,
3 INTENDING FOR IT TO BE USED IN SUBSEQUENT DISCLOSURE.

4 SO SEEING THE SCOPE OF HOW THIS INFORMATION IS
5 COLLECTED AND REALLY UNDERSTANDING THE DIFFERENT WAYS THAT THIS
6 INFORMATION MIGHT BE COLLECTED APPEARS RELEVANT TO
7 UNDERSTANDING THE PRODUCT AND THE IMPACT THE PRODUCT MIGHT HAVE
8 ON CONSUMERS AND CALIFORNIA CONSUMERS.

9 **THE COURT:** ALL RIGHT. LET ME HEAR BACK FROM MR. WU
10 THE FLIP SIDE, AND THAT IS YOU USE PROPORTIONALITY. I'M NOT
11 SURE WHAT'S -- YOU KNOW, THIS IS NOT A BURDEN IN THE TYPICAL
12 SENSE OF HAVING TO PRODUCE MOUNDS AND MOUNDS OF GIGABYTES OF
13 DOCUMENTS, BUT IT'S THE BURDEN OF PRODUCING A SENSITIVE
14 DOCUMENT, BUT THAT SENSITIVITY, I THINK, IS ADDRESSED BY THE
15 AEO PROTECTIVE ORDER.

16 SO I'M NOT SURE I UNDERSTAND THERE'S A
17 PROPORTIONALITY ARGUMENT. I UNDERSTAND THERE'S A MAYBE
18 STRAIGHT RELEVANCE ARGUMENT, AND WHAT HAS BEEN ARTICULATED IS A
19 RELEVANCE ARGUMENT. I WILL CONCEDE IT'S NOT DIRECTLY OBVIOUS,
20 BUT I CAN SEE AN ARGUMENT WHERE IT HAS SOME PROBATIVE VALUE,
21 AND SOME MAY BE A LITTLE LIGHT ON RELEVANCE. ON THE OTHER
22 HAND, I DON'T SEE WHAT THE BURDEN IS.

23 **MR. WU:** YES, YOUR HONOR. I THINK -- I THINK WHERE
24 IT GETS INTO THE ISSUE OF CONFIDENTIALITY AND BURDEN IS THAT
25 WHENEVER THERE IS DISCOVERY OF CONFIDENTIAL DOCUMENTS SOUGHT,

1 STATE OF CALIFORNIA)
2) SS
3 COUNTY OF CONTRA COSTA)
4

5 I HEREBY CERTIFY THAT THE FOREGOING IN THE
6 WITHIN-ENTITLED CAUSE WAS TAKEN AT THE TIME AND PLACE HEREIN
7 NAMED; THAT THE TRANSCRIPT IS A TRUE RECORD OF THE PROCEEDINGS
8 AS REPORTED BY ME, A DULY CERTIFIED SHORTHAND REPORTER AND A
9 DISINTERESTED PERSON, AND WAS THEREAFTER TRANSCRIBED INTO
10 TYPEWRITING BY COMPUTER.

11 I FURTHER CERTIFY THAT I AM NOT INTERESTED IN THE
12 OUTCOME OF THE SAID ACTION, NOR CONNECTED WITH, NOR RELATED TO
13 ANY OF THE PARTIES IN SAID ACTION, NOR TO THEIR RESPECTIVE
14 COUNSEL.

15 IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND THIS
16 8TH DAY OF JULY, 2022.

17
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19 

20 JOAN MARIE COLUMBINI, CSR NO. 5435

21 STATE OF CALIFORNIA
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