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UNITED STATES DISTRICT COURT

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-01418-EMC

DECLARATION OF HAYDEN M. SCHOTTLAENDER IN SUPPORT OF OBJECTION TO NEW REPLY EVIDENCE

Hon. Edward M. Chen

I, Hayden M. Schottlaender, declare as follows:

1. I am Counsel with the law firm Perkins Coie LLP and represent Defendant Thomson Reuters Corporation ("Thomson Reuters") in this case. I make this Declaration based on my personal knowledge and am competent to testify to its contents.

2. Thomson Reuters has produced tens of thousands of documents to Plaintiffs in this case. I have personally searched those produced documents for references to the type of data discussed in Thomson Reuters' contemporaneously filed Objection to New Reply Evidence. Documents discussing Thomson Reuters' contemplated licensing of that data were produced to Plaintiffs in this case *at least* as early as May 2, 2022. The document beginning with TR-BROOKS094958 serves as one example of such a produced document. Likewise, when Plaintiffs deposed Eric Gerhard in this litigation about the above-referenced type of data, they questioned him about a document beginning with TR-BROOKS025076. That document references the type of data at issue. That document was produced by Thomson Reuters to Plaintiffs in April 2022.

3. Plaintiffs first notified Thomson Reuters of their intent to depose Eric Gerhard on June 10, 2022. Plaintiffs then pursued discovery of Mr. Gerhard's documents and, once that was complete, Plaintiffs requested to depose Mr. Gerhard the week of October 17. Thomson Reuters offered Mr. Gerhard for deposition on October 18, 2022. On September 26, 2022, Plaintiffs unilaterally decided to "postpone" Mr. Gerhard's deposition date and instructed Thomson Reuters to "release the Oct 18 date." To the best of my knowledge and based on a review of my emails, Plaintiffs did not again mention or ask about deposing Mr. Gerhard until January 13, 2023. They asked for a deposition in February 2023. Thomson Reuters proposed February 22, and Plaintiffs agreed to that date. Plaintiffs deposed Mr. Gerhard on February 22, 2023.

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I declare under penalty of perjury that the foregoing is true and correct.

Executed March 16, 2023, in Dallas, Texas.

By: s/ *Hayden M. Schottlaender*
Hayden M. Schottlaender

Attorney for Defendant
Thomson Reuters Corporation