Andre M. Mura (SBN 298541)
Ezekiel S. Wald (SBN 341490)
**GIBBS LAW GROUP LLP**
1111 Broadway, Suite 2100
Oakland, CA 94607
Telephone: (510) 350-9700
Facsimile: (510) 350-9701
amm@classlawgroup.com
zsw@classlawgroup.com

Geoffrey A. Graber (SBN 211547)
Karina G. Puttieva (SBN 317702)
**COHEN MILSTEIN SELLERS & TOLL PLLC**
1100 New York Ave. NW, Suite 800
Washington, DC 20005
Telephone: (202) 408-4600
Facsimile: (202) 408-4699
ggraber@cohenmilstein.com
kputtieva@cohenmilstein.com

*Attorneys for Plaintiffs and the Class*

**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-KAW

**DECLARATION OF STEVEN WEISBROT OF ANGEION GROUP RE: STATUS OF CLAIMS FILING**

I, Steven Weisbrot, declare and state as follows:

1. I am the President and Chief Executive Officer at the class action notice and claims administration firm Angeion Group, LLC ("Angeion"). Angeion specializes in designing, developing, analyzing, and implementing large-scale, un-biased, legal notification plans.

2. My credentials were provided in my previous declaration describing the Notice Plan ("Notice Plan Declaration") (Dkt. No. 241-2).

3. The purpose of this declaration is to provide the Court with an update on the status of claims filing in relation to this Court's Order Granting Preliminary Approval of Class Action Settlement (Dkt. No. 259) ("Order") and the Class Action Settlement Agreement (Dkt. No. 241-1) ("Agreement").

**CLASS NOTICE**

4. Following the Court's Order granting Preliminary Approval (Dkt. No. 259), Angeion implemented the Court-approved Notice Plan consistent with my Notice Plan Declaration (Dkt. No. 241-2). That Notice Plan, which is extensively laid out in my Notice Plan Declaration, provided a comprehensive state-of-the-art multi-faceted media campaign that delivered an approximate78.95% reach and over 73 million impressions, and included the implementation of a dedicated Settlement Website and toll-free telephone line where Settlement Class Members were able to learn more about their rights and options pursuant to the terms of the Settlement. The Notice Plan also incorporated print publication in *USA Today*'s California regional publication. The reach percentage is calculated using objective syndicated advertising data relied upon by most advertising agencies and brand advertisers. It is further verified by sophisticated media software and calculation engines that cross reference which media is being purchased with the media habits of our specific Target Audience. In practice, this means that approximately 78.95% of our Target Audience saw an advertisement concerning the settlement an average of 3.20 times each.

5. The Federal Judicial Center states that a publication notice plan that reaches 70% of class members is one that reaches a "high percentage" and is within the "norm." Barbara J. Rothstein

& Thomas E. Willging, Federal Judicial Center, "Managing Class Action Litigation: A Pocket Guide or Judges", at 27 (3d Ed. 2010).

6. Here, Angeion utilized Programmatic Display Advertising, which is the leading method of buying digital advertisements in the United States. Angeion also utilized a social media campaign simultaneous to the programmatic internet advertising, further qualifying and delivering impressions to the Settlement Class Members on both Facebook and Instagram. Finally, Angeion included paid search on Google to help drive Settlement Class Members actively looking for information about the Settlement to the dedicated Settlement Website. Additional information about each of these channels is available in my Notice Plan Declaration. Dkt. No. 241-2.

7. In my professional opinion, this Notice Plan, as implemented prior to the original December 6, 2024 claims filing deadline, provided full and proper notice to Settlement Class Members and is the best practicable notice under the circumstances, fulfilling all due process requirements, fully comporting with Fed. R. Civ. P. 23, and the Northern District's Procedural Guidance for Class Action Settlements.

**CLAIMS FILING**

8. As part of the claims process, Angeion has reviewed claims submissions for validation and to detect fraud. On or about November 15, 2024, Angeion identified a significant volume of claims filing attempts on the Settlement Website that appeared to overwhelmingly emanate from bad actors posing as legitimate claimants. Angeion investigated those filings, a process which took about one week. Angeion believes these claims primarily were filed via bots or originated from other fraudulent claims filing operandi recognizable to Angeion. Importantly, a significant number of these claims were thwarted during the attempt process as a result of AngeionAffirm (described in my Notice Plan Dkt. No. 241-2), however certain of these bad actors were able to modify their fraudulent submission practices in an effort to bypass Angeion's fraud suppression tools. As a result, at that point in time, Angeion identified approximately 346,000 claims that were suspicious and needed further manual review, and notified class counsel of the same on November 22, 2024.

9. While fraud review is ongoing, and the claims period is still open until December 27, 2024 (Dkt. No. 268), the following table reflects the status of claims administration as of December 16, 2024.

| | |
|---|---|
| **Claims received** | 709,785 (709,320 electronic, 465 paper) |
| **Claims likely to be validated for approval** | 125,000 – 150,000 |
| **Claims blocked as submitted by software applications (bots)** | 21.6 million |
| **Opt outs received by deadline** | 60 (59 electronic, 1 paper) |
| **Opt outs received after deadline** | 0 |
| **Objections by deadline** | 0 |
| **Objections after the deadline** | 0 |

10. These figures yield a claims rate of approximately 0.313% - 0.375% and an estimated per-claimant recovery of $129.13 - $154.96 for each participating claimant.

## ADDITIONAL CLAIMS STIMULATION EFFORTS

11. Angeion has worked closely with class counsel and has undertaken numerous efforts to stimulate claims. Angeion highlights those efforts below, and can provide true and correct copies of any advertisements, press release, or other materials if the Court requests. In Angeion's opinion, additional ad campaigns, beyond those already contemplated, are unlikely to meaningfully change the response rate to the advertisements.

### Sponsored Class Action Website Listing

12. On or about November 25, 2024, Angeion caused a listing to be posted on a leading class action settlement website, www.topclassactions.com. Angeion also caused the Settlement to be listed in two email newsletters distributed by Top Class Actions (November 29, 2024 and December 3, 2024).

### Social Media Advertising

13. On December 3, 2024, Angeion implemented additional social media notice via social media platforms Facebook, Instagram, and X. The notice has been changed since inception to alert Settlement class members to the upcoming deadline. It has been my experience that stressing an

impending deadline in class action adverting copy augments claim filing. Moreover, we examined the strategies which had proven most efficacious in the original social media campaign and used those avenues as guideposts for the supplemental campaign.

**Paid Search Campaign**

14. On or about December 3, 2024, Angeion commenced an additional paid search campaign via Google. The paid search campaign complemented the social media claims stimulation package by driving Settlement class members who were actively searching for information about the Settlement to the dedicated Settlement website.

**Press Release**

15. On December 9, 2024, Angeion caused a press release announcing the Settlement and the updated claims filing deadline to be distributed over PR Newswire to further spread news of the settlement. The release was posted by approximately 333 media outlets with a total combined potential audience of 152 million visitors.

**Legal Influencer**

16. On December 9, 2024, Angeion caused a social media video advertisement to be distributed by The Lawyer Angela, a social media legal influencer, via TikTok and Instagram, to further stimulate claims. As of December 16, 2024, this video has had approximately 629,000 views across these platforms.

**Final efforts**

17. The efforts just discussed exceed customary notice efforts deployed in similar matters. These efforts took advantage of the latest contemporary media realities, applied additional efforts in those areas that had previously proven successful, and focused on all aspects of the traditional marketing funnel, from awareness through conversion. In short, the integrated media campaign exceeded the notice program approved by this Court.

18. Angeion will continue social media advertising through December 27, reminding putative class members of the upcoming deadline. Angeion had previously used banner ads that informed class members that they could expect between $19-$48. For the continuing social media

advertising, Angeion will use similar banner ad language that mentions only the top end of the range, $48, an exemplar copy of which is attached as **Exhibit A**.

**FRAUD DETECTION**

19. On December 13, 2024, after discussing with counsel, Angeion implemented a requirement for all payment methods to verify their selection via SMS (short message service) (i.e. text message via one-time password), rather than offering the option of email verification *or* SMS. This change was put into place to help verify that the claims being filed are being submitted by a human, rather than a bot (i.e. fraudulent). As described above, this particular Settlement has been targeted by a large volume of bad actors posing as legitimate filers, thus this change was recommended to help prevent these fraudulent claimants from submitting claims illegitimately.

20. Angeion is also continuing our manual and programmatic claims review processes to thwart any illegitimate claims that were previously filed, and to ensure that current and future claims are legitimate. Angeion will provide class counsel with final claims rate information in time for its inclusion in the motion for final approval due on January 9, 2025.

21. Following the claims stimulation efforts described above, Angeion received an additional 274,000 claims as of December 13, 2024. However, based on initial fraud review, more than 220,000 of these claims are flagged as suspicious (with the remainder preliminarily appearing valid).

**COSTS**

22. As of November 30, 2024, Angeion has incurred $379,444.65 to notify the class and administer the settlement. All of Angeion's costs to date will be submitted to the Court in connection with Plaintiffs' Motion for Final Approval on January 9, 2025. Angeion estimates that the final costs for class notice, along with claims processing and distribution, will be approximately $545,000. This is slightly higher than the $484,119 amount estimated at preliminary approval, but accounts for the extended claims period and claims stimulation efforts.

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

Dated: December 16, 2024

STEVEN WEISBROT

# Exhibit A

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**1 WEEK LEFT**

**Class Action Settlement**



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