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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-01418-EMC-KAW

JOINT STATEMENT AND [PROPOSED] ORDER REGARDING *CY PRES*

Judge: Hon. Edward M. Chen

On October 28, 2025, the Parties submitted a Joint Statement Regarding Post-Distribution Accounting. ECF No. 288. The Court held a status conference on November 4, 2025, at which the parties discussed the post-distribution accounting, the Settlement Administrator—Angeion's—contractual relationship with the vendor that services the Prepaid Mastercard payment option in this Settlement, and the parties' submission of Consumer Reports as a proposed *cy pres* recipient for any residual funds. *See id.*; *see also* ECF No. 290. The Court directed Angeion to submit its contractual agreement with the vendor *in camera* for the Court's review, and informed the parties that, while the Court approved of Consumer Reports as an appropriate *cy pres* recipient, it would resolve the matter of the *cy pres* distribution following that *in camera* review. *See* ECF No. 290.

Angeion submitted its contract with Blackhawk Engagement Solutions *in camera* on November 13, 2025. ECF Nos. 291, 292. On November 17, 2025, the Court issued an order resolving ECF Nos. 288, 290, and noted that it would "not require further action on the part of the parties or Angeion[,]" while also setting out guidance for parties and settlement administrators going forward in class settlements. ECF No. 294. On January 13, 2026, the Court closed the case.

In connection with the Parties' October 28 post-distribution accounting statement, Angeion reported that $136,739.59 remained in the Settlement Fund for potential *cy pres* distribution. Since that date, Angeion was able to contact a small number of additional class members who had experienced payment failure (approximately 81 individuals), and re-issued checks to these class members. All of those re-issued checks are now cashed or void, and the total residual fund is $122,101.51. Shaffer Decl. ¶ 5. As the Settlement is now fully distributed, and for the reasons set out in the Parties' October 28 joint statement, the Parties submit that Consumer Reports is an appropriate "next best" recipient for the $122,101.51 residual fund, and request that the Court (1) appoint Consumer Reports as a *cy pres* recipient here, and (2) order that Angeion distribute the residual settlement funds to Consumer Reports. ECF No. 288 at 3-5.

Consumer Reports previously submitted a letter regarding its suitability as a *cy pres*

recipient, ECF No. 288-2, and its extensive privacy work on behalf of California consumers provides a "driving nexus between the plaintiff class and" Consumer Reports as a *cy pres* beneficiary. *Dennis v. Kellogg Co.*, 697 F.3d 858, 865 (9th Cir. 2012); *see also* ECF No. 288 at 3-5; *see also In re Google LLC Street View*, 611 F.Supp.3d 872, 896 (N.D. Cal. Mar. 18, 2020) (approving settlement with *cy pres* distribution to Consumer Reports, among other organizations, in case regarding Google's alleged interception and storage of class member communications); *In re Google Inc. St. View Elec. Commc'ns Litig.*, 21 F.4th 1102, 1109, 1122 (9th Cir. 2021) (affirming settlement approval); *Cottle v. Plaid Inc.*, Case No. 4:20-cv-03056-DMR, ECF Nos. 153, 184 (N.D. Cal. July 20, 2022) (approving settlement with *cy pres* remainder to Consumer Reports in case regarding alleged corporate use and sale of consumer personal information without consumers' consent); *Cortes v. Nat'l Credit Adjusters, L.L.C.*, No. 216CV00823MCEEFB, 2022 WL 16725056, at *1 (E.D. Cal. Oct. 6, 2022) (affirming distribution of residual class settlement funds to Consumer Reports as appropriate recipient based on Consumer Reports work "to protect consumers against invasions of their privacy and peace"); *Thomas H. Krakauer v. Dish Network LLC*, Case No. 1:14-cv-00333-CCE-JEP, ECF No. 682 (M.D.N.C. Mar. 29, 2024) (Consumer Reports awarded remainder *cy pres* distributions in class settlement regarding consumer privacy violations).

Accordingly, the parties request that the Court (1) appoint Consumer Reports as a *cy pres* recipient here, and (2) order that Angeion distribute the residual settlement funds to Consumer Reports as a *cy pres* recipient in this case.

DATED: March 5, 2026

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Respectfully submitted,

/s/ *Andre M. Mura*

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DATED: March 5, 2026

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[PROPOSED] ORDER

The parties' request that Consumer Reports be appointed as a *cy pres* recipient here and that Angeion distribute the residual settlement funds to Consumer Reports as a *cy pres* recipient is GRANTED. Consumer Reports, a nationwide non-profit organization with a robust history of consumer privacy advocacy in California, has a driving nexus to the privacy claims asserted on behalf of Californians in this action. *Dennis*, 697 F.3d at 865. Consumer Reports qualifies as the "next best recipient" for the small remainder of the settlement fund here, which cannot feasibly be distributed directly to class members. *See id.* Accordingly, the Court approves Consumer Reports as a *cy pres* recipient of the residual settlement funds here. The Court further orders the Settlement Administrator to distribute the residual settlement funds to Consumer Reports within 14 days of this Order.

DATED: _____

_____
The Hon. Edward M. Chen
United States District Judge

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