

**WILLKIE FARR & GALLAGHER LLP**

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*Attorney for Petitioner*

Oto Analytics, LLC

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

OTO ANALYTICS, LLC,

Petitioner,

v.

BENWORTH CAPITAL PARTNERS LLC,

Respondent.

Case No. 3:24-cv-03975-AMO

**DECLARATION OF ALEXANDER L.  
CHENEY IN SUPPORT OF  
PETITIONER'S MOTION TO  
CONSOLIDATE RELATED CASES**

Hon. Araceli Martínez-Olguín

1 I, Alexander L. Cheney, pursuant to 28 U.S.C. § 1746, declare as follows:

2 1. I am a member in good standing of the bars of California and New York. I am  
3 admitted to practice in the United States District Court for the Northern District of California. I  
4 am a partner at Willkie Farr & Gallagher LLP, counsel for Petitioner Oto Analytics, LLC (f/k/a  
5 Oto Analytics, Inc. d/b/a Womply) (“Womply”).

6 2. I respectfully submit this declaration to provide this Court with the basis for  
7 Womply’s Motion to Consolidate Related Cases, as required by Local Civil Rule 7-2(d), and to  
8 provide additional relevant facts and documents. This declaration is based on my personal  
9 knowledge or information provided to me.

10 3. Womply’s counsel previously communicated with Benworth’s counsel regarding  
11 the consolidation of *Oto Analytics, LLC v. Benworth Capital Partners LLC*, Civil No. 3:24-cv-  
12 03975-AMO (the “Confirmation Action”), and *Benworth Capital Partners LLC v. Oto Analytics,*  
13 *LLC*, Civil No. 3:24-cv-4840-AMO (the “Vacatur Action”).

14 4. On Sunday, August 25, 2024, Benworth’s counsel sent an email to Womply’s  
15 counsel consenting to the consolidation of the Confirmation Action and the Vacatur Action. A  
16 true and correct copy of that email is attached hereto as **Exhibit 1**.

17  
18 I declare under the penalty of perjury under the laws of the State of California and the United  
19 States that the foregoing is true and correct.

20  
21 Executed at San Francisco, California on this 29 day of August, 2024.

22  
23 Dated: August 29, 2024

WILLKIE FARR & GALLAGHER LLP

24 By: /s/ Alexander L. Cheney  
25 Alexander L. Cheney

26 *Attorney for Petitioner*  
27 *Oto Analytics, LLC*