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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

JAMES COTTLE, et al.,

Plaintiffs,

v.

PLAID INC.,

Defendant.

CASE NO. 4:20-cv-03056-DMR

**DECLARATION OF ETHAN D. DETTMER
IN SUPPORT OF DEFENDANT PLAID
INC.'S RESPONSE TO COTTLE
PLAINTIFFS' ADMINISTRATIVE MOTION
TO CONTINUE CASE MANAGEMENT
CONFERENCE**

Hon. Donna M. Ryu

Action Filed: May 4, 2020

Trial Date: None Set

1 I, Ethan D. Dettmer, declare and state as follows:

2 1. I am an attorney duly licensed to practice law before all courts of the State of California,
3 and I am a member of the Bar of this Court. I am a partner with the law firm of Gibson, Dunn &
4 Crutcher LLP, counsel for defendant Plaid Inc. (“Plaid”) in this case. I make this declaration in support
5 of Plaid’s Response to the *Cottle* Plaintiffs’ Administrative Motion to Continue Case Management
6 Conference. I have personal knowledge of the matters stated herein and, if called to do so, I could and
7 would competently testify about them.

8 2. The *Cottle* Plaintiffs filed their Complaint on May 4, 2020. ECF No. 1. On May 5,
9 2020, the Court scheduled the Initial CMC for August 5, 2020. ECF No. 10.

10 3. On May 21, 2020, I filed my notice of appearance in this matter and called counsel for
11 the *Cottle* Plaintiffs, Shawn Kennedy, to discuss Plaid’s forthcoming response to the Complaint.
12 Through several additional emails and phone calls, we agreed upon a Stipulation Extending Time to
13 Respond to Complaint and Setting Briefing Schedule (ECF No. 35), which set Plaid’s deadline to
14 respond to Plaintiffs’ Complaint as July 22, 2020.

15 4. After that stipulation was filed, three related lawsuits were filed: *Mitchell v. Plaid Inc.*,
16 3:20-cv-04230-SK (filed June 25, 2020), *Curtis, et al. v. Plaid Inc.*, 4:20-cv-04344-DMR (filed June
17 29, 2020), and *Anderson, et al. v. Plaid Inc.*, 3:20-cv-04480-JSC (filed July 7, 2020).

18 5. In response, I worked with Mr. Kennedy and counsel for the plaintiffs in each of those
19 cases to ensure that these plaintiffs each filed motions to relate in the *Cottle* docket. Plaid filed motions
20 supporting each motion to relate, and I worked further with Mr. Kennedy to draft a new stipulation in
21 light of the new complaints and allegations.

22 6. On July 17, 2020, the parties to this action joined with all parties in the *Mitchell, Curtis*,
23 and *Anderson* matters to file a new stipulation requesting that the Court consolidate those actions under
24 Federal Rule of Civil Procedure 42(a) (the “Stipulation”). ECF. No. 51. The Stipulation provides: a
25 structure for Plaintiffs’ lawyers to organize and interact with counsel for Plaid; that Plaintiffs will file
26 a consolidated amended complaint one week after entry of the stipulation; and that Plaid will respond
27 to that Consolidated Amended Complaint 40 days after it is filed. The stipulation also sets a briefing
28 schedule for Plaid’s anticipated motion to dismiss.

