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*Attorneys for Plaintiffs Rachel Curtis, Alexa Grossman, Mallory Grossman, Steven Hannigan,
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[Additional counsel on signature page]

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

JAMES COTTLE AND FREDERICK
SCHOENEMAN, on behalf of
themselves and all others similarly
situated,

Plaintiffs,

v.

PLAID INC., a Delaware corporation,

Defendant.

Case No. 4:20-CV-03056

**ADMINISTRATIVE MOTION TO
CONSIDER WHETHER CASES
SHOULD BE RELATED**

CLASS ACTION

1 Plaintiffs Rachel Curtis, Alexa Grossman, Mallory Grossman, Steven Hannigan, Alexis
 2 Mullen, Jordan Sacks, and Nicholas Yeomelakis (the “*Curtis* Plaintiffs”) hereby move to relate
 3 *Curtis v. Plaid Inc.*, No. 4:20-cv-04344-DMR, to the above-captioned action, and in support
 4 thereof state as follows:

5 **I. LEGAL STANDARD**

6 Civil Local Rule 3-12(b) provides that “[w]henever a party knows or learns that an action,
 7 filed in or removed to this district is (or the party believes that the action may be) related to an
 8 action which is or was pending in this District as defined in Civil L.R. 3-12(a), the party must
 9 promptly file in the lowest-numbered case an Administrative Motion to Consider Whether Cases
 10 Should be Related, pursuant to Civil L.R. 7- 11.”

11 Civil Local Rule 3-12(a) provides that “[a]n action is related to another when: (1) The
 12 actions concern substantially the same parties, property, transaction or event; and (2) It appears
 13 likely that there will be an unduly burdensome duplication of labor and expense or conflicting
 14 results if the cases are conducted before different Judges.”

15 **II. ARGUMENT**

16 The *Curtis* Plaintiffs filed their complaint on June 29, 2020. Like the complaint in this
 17 case, the *Curtis* Plaintiffs’ complaint alleges that defendant Plaid Inc. (“Plaid”) violated state and
 18 federal privacy statutes by deceiving customers into disclosing passwords that gave Plaid access
 19 to their sensitive financial and transactional information. Plaintiffs in both cases allege claims
 20 including invasion of privacy, and violations of the Computer Fraud and Abuse Act (18 U.S.C. §
 21 1030), the Stored Communications Act (18 U.S.C. § 2701), the California Unfair Competition
 22 Law (Cal Bus. & Prof. Code § 17200 et seq.), as well as other claims. See Decl. of Bart D.
 23 Cohen, Exs. A–B (complaints).

24 Plaintiffs in both cases allege similar facts regarding Plaid’s misconduct, which will be the
 25 overwhelming focus of discovery and other proceedings in both cases. In particular, plaintiffs in
 26 both cases allege that Plaid, which embeds its software in several popular financial technology
 27 application, uses that software to induce consumers to disclose their bank login credentials by
 28 creating the appearance that they are communicating directly with, and only with, their own

banks. In light of the substantial overlap in the questions of fact and law in these actions, relating them will avoid waste of the Court's resources and prevent inconsistent results. It will also assure the most "just, speedy, and inexpensive determination" of both actions. *See* Fed. R. Civ. P. 1.

Dated: July 8, 2020

QUADRA & COLL, LLP

By: /s/ Rebecca Coll
Rebecca Coll

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CERTIFICATE OF SERVICE

I hereby certify that on July 8, 2020, I electronically filed the foregoing Administrative Motion To Consider Whether Cases Should Be Related with the Clerk of the Court for the United States District Court, Northern District of California using the CM/ECF system and served a copy of same upon all counsel of record via the Court's electronic filing system.

/s/ Rebecca Coll
Rebecca Coll