

HARTLEY LLP

Jason Hartley (Cal. Bar #192514)
Jason Lindner (Cal. Bar #211451)
101 W. Broadway, Suite 820
San Diego, CA 92101
Tel: (619) 400-5822
Tel: (619) 400-5832
hartley@hartleyllp.com
lindner@hartleyllp.com

SPECTOR ROSEMAN & KODROFF, P.C.

William G. Caldes
Jeffery L. Spector
Jeffrey L. Kodroff
Diana J. Zinser
(*Pro Hac Vice Applications forthcoming*)
2001 Market Street, Suite 3420
Philadelphia, PA 19103
Tel: (215) 496-0300
Fax: (215) 496-6611
BCaldes@srkattorneys.com
JSpector@srkattorneys.com
JKodroff@srkattorneys.com
DZinser@srkattorneys.com

**REINHARDT WENDORF &
BLANCHFIELD**

Garrett D. Blanchfield
Roberta A. Yard
(*Pro Hac Vice Applications forthcoming*)
332 Minnesota Street, Suite W-1050
St. Paul, MN 55101
Tel: (651) 287-2100
Fax: (651) 287-2103
g.blanchfield@rwblawfirm.com
r.yard@rwblawfirm.com

*Attorneys for Plaintiffs Carrie Anderson, Brian McCrudden and Jeffrey Schwedock
and the Proposed Class*

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO 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 Pursuant to Civil L.R. 7-11, Plaintiffs Carrie Anderson, Brian McCrudden and Jeffrey
2 Schwedock (the “Anderson Plaintiffs”), hereby move to relate *Anderson, et al. v. Plaid, Inc.*, No.
3 3:20-cv-4480 JSC, to the above-captioned action.

4 **I. LEGAL STANDARD**

5 Civil Local Rule 3-12(b) provides that “[w]henever a party knows or learns that an action,
6 filed in or removed to this district is (or the party believes that the action may be) related to an
7 action which is or was pending in this District as defined in Civil L.R. 3-12(a), the party must
8 promptly file in the lower-numbered case an administrative motion to consider whether cases
9 should be related, pursuant to Civil L.R. 7-11.”

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

14 **II. ARGUMENT**

15 The *Anderson* Plaintiffs filed their complaint on July 7, 2020. Like the complaint in this
16 case, the *Anderson* Plaintiffs’ complaint alleges that Defendant Plaid, Inc. (“Plaid”) violated state
17 and federal privacy statutes by deceiving customers into disclosing passwords that gave Plaid
18 access to their sensitive financial and transactional information. Plaintiffs in both cases allege
19 claims including invasion of privacy, and violations of the Computer Fraud and Abuse Action (18
20 U.S.C. § 1030), the Stored Communications Act (18 U.S.C. § 2701), the California Unfair
21 Competition Law (Cal. Bus & Prof Code § 17200 et seq.), as well as other claims. See Decl. of
22 Jason S. Hartley, Exs. A and B (Complaints).

23 Plaintiffs in both cases allege similar facts regarding Plaid’s misconduct, which
24 will be the overwhelming focus of discovery and other proceedings in both cases. In particular,
25 Plaintiffs in both cases allege that Plaid, which embeds its software in several popular financial
26 technology applications, uses that software to induce consumers to disclose their bank login
27 credentials by creating the appearance that they are communications directly with, and only with,
28 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 17, 2020

HARTLEY LLP

By: /s/ Jason Hartley
Jason Hartley
Jason Lindner
101 W. Broadway, Suite 820
San Diego, CA 92101
(619) 400-5822 TEL
(619) 400-5832 FAX
hartley@hartleyllp.com
lindner@hartleyllp.com

SPECTOR ROSEMAN & KODROFF, P.C.

William G. Caldes
Jeffery L. Spector
Jeffrey L. Kodroff
Diana J. Zinser
2001 Market Street, Suite 3420
Philadelphia, PA 19103
Tel: (215) 496-0300
Fax: (215) 496-6611
BCaldes@srkattorneys.com
JSpector@srkattorneys.com
JKodroff@srkattorneys.com
DZinser@srkattorneys.com

REINHARDT WENDORF & BLANCHFIELD

Garrett D. Blanchfield
Roberta A. Yard
332 Minnesota Street, Suite W-1050
St. Paul, MN 55101
Tel: (651) 287-2100
Fax: (651) 287-2103
g.blanchfield@rwblawfirm.com
r.yard@rwblawfirm.com

Attorneys for Anderson Plaintiffs and the Proposed Class

CERTIFICATE OF SERVICE

I hereby certify that on July 17, 2020, I electronically filed the foregoing Administrative Motion to Consider Whether Cases Should be Related with the Clerk of this Court using the CM/ECF system and served a copy of same upon all counsel of record via the Court's electronic filing system.

/s/ Jason S. Hartley
Jason S. Hartley