

WILLKIE FARR & GALLAGHER LLP

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Attorney for Respondent

Oto Analytics, LLC

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

BENWORTH CAPITAL PARTNERS LLC,

Petitioner,

v.

OTO ANALYTICS, LLC,

Respondent.

Case No. 3:24-cv-4840-AMO

**DECLARATION OF ALEXANDER L.
CHENEY IN SUPPORT OF
RESPONDENT'S OPPOSITION TO
PETITIONER'S ADMINISTRATIVE
MOTION FOR ENLARGMENT OF TIME
TO REPLY TO OTO ANALYTICS, LLC'S
OPPOSITION TO PETITION TO VACATE
FINAL ARBITRATION AWARD**

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 Respondent 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 certain materials
7 cited in Womply’s Opposition to Petitioner’s Administrative Motion for Enlargement of Time to
8 Reply to Womply’s Opposition to Petition to Vacate Final Arbitration Award (the “Opposition”).
9 This declaration is based on my personal knowledge or information provided to me.

10 3. On August 7, 2024, Benworth Capital Partners LLC (“Benworth”) filed a redacted
11 version of its Notice of Petition and Petition to Vacate Final Arbitration Award (the “Petition”;
12 ECF No. 1) and an appendix thereto (ECF Nos. 1-1–1-57; collectively, the “Appendix”), which
13 was filed entirely under seal

14 4. On August 8, 2024, Benworth’s counsel sent an email to Womply’s counsel
15 containing unredacted copies of the Petition and Appendix. A true and correct copy of that email
16 is attached hereto as **Exhibit 1**.

17 5. Womply accepted service of the Petition effective August 14, 2024 (ECF No. 8),
18 and filed its opposition to the Petition 14 days later on August 26, 2024 (ECF No. 25).

19 6. Attached hereto as **Exhibit 2** is a true and correct copy of the docket sheet in the
20 case styled *Andrea M. Caston, et al. v. Hoffman-La Roche, Inc., et al.*, 3:23-cv-00928-TLT (N.D.
21 Cal.).

22 7. Attached hereto as **Exhibit 3** is a true and correct copy of the docket sheet in the
23 case styled *Andrea M. Caston, et al. v. Hoffman-La Roche, Inc., et al.*, Case No. 24-2920
24 (9th Cir.).

25 8. Attached hereto as **Exhibit 4** is a true and correct copy of the docket sheet in the
26 case styled *Cato Corporation, et al. v. Zurich American Insurance Company*, Case No. COA23-
27 305 (N.C.).
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1 9. Attached hereto as **Exhibit 5** is a true and correct copy of the docket sheet in the
2 case styled *Joel Benes, et al. v. Luis De La Aguilera, et al.*, Case No. 3D24-0152 (Fla. 3d DCA).

3
4 I declare under the penalty of perjury under the laws of the State of California and the United
5 States that the foregoing is true and correct.

6
7 Executed at San Francisco, California on this 30th day of August, 2024.

8
9 Dated: August 30, 2024

WILLKIE FARR & GALLAGHER LLP

10 By: /s/ Alexander L. Cheney

11 Alexander L. Cheney

12 *Attorney for Respondent*
13 *Oto Analytics, LLC*
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