

Andre M. Mura (SBN 298541)
Ezekiel S. Wald (SBN 341490)
GIBBS MURA LLP
1111 Broadway, Suite 2100
Oakland, CA 94607
Telephone: (510) 350-9700
Facsimile: (510) 350-9701
amm@classlawgroup.com
zsw@classlawgroup.com

Geoffrey A. Graber (SBN 211547)
Karina G. Puttieva (SBN 317702)
**COHEN MILSTEIN SELLERS & TOLL
PLLC**
1100 New York Ave. NW, Suite 800
Washington, DC 20005
Telephone: (202) 408-4600
Facsimile: (202) 408-4699
ggraber@cohenmilstein.com
kputtieva@cohenmilstein.com

Attorneys for Plaintiffs and the Certified Class

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

CAT BROOKS and RASHEED SHABAZZ,
individually and on behalf of all others
similarly situated,

Plaintiffs,

v.

THOMSON REUTERS CORPORATION,

Defendant.

Case No. 3:21-cv-01418-EMC-KAW

**JOINT STATEMENT AND
~~[PROPOSED]~~ ORDER REGARDING
CY PRES**

Judge: Hon. Edward M. Chen

On October 28, 2025, the Parties submitted a Joint Statement Regarding Post-Distribution Accounting. ECF No. 288. The Court held a status conference on November 4, 2025, at which the parties discussed the post-distribution accounting, the Settlement Administrator—Angeion’s—contractual relationship with the vendor that services the Prepaid Mastercard payment option in this Settlement, and the parties’ submission of Consumer Reports as a proposed *cy pres* recipient for any residual funds. *See id.*; *see also* ECF No. 290. The Court directed Angeion to submit its contractual agreement with the vendor *in camera* for the Court’s review, and informed the parties that, while the Court approved of Consumer Reports as an appropriate *cy pres* recipient, it would resolve the matter of the *cy pres* distribution following that *in camera* review. *See* ECF No. 290.

Angeion submitted its contract with Blackhawk Engagement Solutions *in camera* on November 13, 2025. ECF Nos. 291, 292. On November 17, 2025, the Court issued an order resolving ECF Nos. 288, 290, and noted that it would “not require further action on the part of the parties or Angeion[,]” while also setting out guidance for parties and settlement administrators going forward in class settlements. ECF No. 294. On January 13, 2026, the Court closed the case.

In connection with the Parties’ October 28 post-distribution accounting statement, Angeion reported that \$136,739.59 remained in the Settlement Fund for potential *cy pres* distribution. Since that date, Angeion was able to contact a small number of additional class members who had experienced payment failure (approximately 81 individuals), and re-issued checks to these class members. All of those re-issued checks are now cashed or void, and the total residual fund is \$122,101.51. Shaffer Decl. ¶ 5. As the Settlement is now fully distributed, and for the reasons set out in the Parties’ October 28 joint statement, the Parties submit that Consumer Reports is an appropriate “next best” recipient for the \$122,101.51 residual fund, and request that the Court (1) appoint Consumer Reports as a *cy pres* recipient here, and (2) order that Angeion distribute the residual settlement funds to Consumer Reports. ECF No. 288 at 3-5.

Consumer Reports previously submitted a letter regarding its suitability as a *cy pres*

1 recipient, ECF No. 288-2, and its extensive privacy work on behalf of California consumers
2 provides a “driving nexus between the plaintiff class and” Consumer Reports as a *cy pres*
3 beneficiary. *Dennis v. Kellogg Co.*, 697 F.3d 858, 865 (9th Cir. 2012); *see also* ECF No. 288 at 3-5;
4 *see also In re Google LLC Street View*, 611 F.Supp.3d 872, 896 (N.D. Cal. Mar. 18, 2020) (approving
5 settlement with *cy pres* distribution to Consumer Reports, among other organizations, in case
6 regarding Google’s alleged interception and storage of class member communications); *In re*
7 *Google Inc. St. View Elec. Commc'ns Litig.*, 21 F.4th 1102, 1109, 1122 (9th Cir. 2021) (affirming
8 settlement approval); *Cottle v. Plaid Inc.*, Case No. 4:20-cv-03056-DMR, ECF Nos. 153, 184 (N.D.
9 Cal. July 20, 2022) (approving settlement with *cy pres* remainder to Consumer Reports in case
10 regarding alleged corporate use and sale of consumer personal information without
11 consumers’ consent); *Cortes v. Nat’l Credit Adjusters, L.L.C.*, No. 216CV00823MCEEFB, 2022 WL
12 16725056, at *1 (E.D. Cal. Oct. 6, 2022) (affirming distribution of residual class settlement funds
13 to Consumer Reports as appropriate recipient based on Consumer Reports work “to protect
14 consumers against invasions of their privacy and peace”); *Thomas H. Krakauer v. Dish Network*
15 *LLC*, Case No. 1:14-cv-00333-CCE-JEP, ECF No. 682 (M.D.N.C. Mar. 29, 2024) (Consumer
16 Reports awarded remainder *cy pres* distributions in class settlement regarding consumer
17 privacy violations).

18 Accordingly, the parties request that the Court (1) appoint Consumer Reports as a *cy pres*
19 recipient here, and (2) order that Angeion distribute the residual settlement funds to Consumer
20 Reports as a *cy pres* recipient in this case.
21
22
23
24
25
26
27
28

1 DATED: March 5, 2026

GIBBS MURA LLP

2
3 Respectfully submitted,

4
5 /s/ Andre M. Mura

6 Andre M. Mura (SBN 298541)

7 Ezekiel S. Wald (SBN 341490)

8 GIBBS MURA LLP

9 1111 Broadway, Suite 2100

10 Oakland, California 94607

11 (510) 350-9700

12 amm@classlawgroup.com

13 zsw@classlawgroup.com

14 Geoffrey A. Graber (SBN 211547)

15 Karina G. Puttieva (SBN 317702)

16 COHEN MILSTEIN SELLERS & TOLL PLLC

17 1100 New York Ave. NW, Suite 800

18 Washington, DC 20005

19 Telephone: (202) 408-4600

20 Facsimile: (202) 408-4699

21 ggraber@cohenmilstein.com

22 kputtieva@cohenmilstein.com

23
24 *Attorneys for Plaintiffs and the Certified Class*

1 DATED: March 5, 2026

PERKINS COIE LLP

2 By: /s/ Susan D. Fahringer

3
4 Susan D. Fahringer (SBN 21567)
5 Nicola C. Menaldo (*pro hac vice*)
6 Anna M. Thompson (*pro hac vice*)
7 1201 Third Avenue, Suite 4900
8 Seattle, WA 98101-3099
9 Telephone: (206) 359-8000
10 Facsimile: (206) 359-9000
11 SFahringer@perkinscoie.com
12 NMenaldo@perkinscoie.com
13 AnnaThompson@perkinscoie.com

14 Hayden M. Schottlaender (*pro hac vice*)
15 **PERKINS COIE LLP**
16 500 N. Akard Street, Suite 3300
17 Dallas, Texas 75201-3347
18 Telephone: (214) 965-7700
19 Facsimile: (214) 965-7799
20 HSchottlaender@perkinscoie.com

21 Gabriella Gallego (SBN 324226)
22 **PERKINS COIE LLP**
23 3150 Porter Drive
24 Palo Alto, CA 94304-1212
25 Telephone: (650) 838-4300
26 Facsimile: (650) 838-4350
27 GGallego@perkinscoie.com

28 *Attorneys for Defendant*
Thomson Reuters Corporation

~~PROPOSED~~ ORDER

The parties' request that Consumer Reports be appointed as a *cy pres* recipient here and that Angeion distribute the residual settlement funds to Consumer Reports as a *cy pres* recipient is GRANTED. Consumer Reports, a nationwide non-profit organization with a robust history of consumer privacy advocacy in California, has a driving nexus to the privacy claims asserted on behalf of Californians in this action. *Dennis*, 697 F.3d at 865. Consumer Reports qualifies as the "next best recipient" for the small remainder of the settlement fund here, which cannot feasibly be distributed directly to class members. *See id.* Accordingly, the Court approves Consumer Reports as a *cy pres* recipient of the residual settlement funds here. The Court further orders the Settlement Administrator to distribute the residual settlement funds to Consumer Reports within 14 days of this Order.

DATED: March 6, 2026
The Hon. Edward M. Chen
United States District Judge