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13
 14 UNITED STATES DISTRICT COURT
 15 NORTHERN DISTRICT OF CALIFORNIA

16
 17 Jane Doe,
 18 Plaintiff,
 19 vs.
 20 YouTube, LLC,
 21 Defendant.

Case No. 4:20-cv-7493 (N.D. Cal.)

CLASS ACTION

**DECLARATION OF MONICA MURRAY
 REGARDING NOTICE PROCEDURES
 AND SETTLEMENT ADMINISTRATION
 EXPENSES IN SUPPORT OF
 PLAINTIFF’S MOTION FOR FINAL
 APPROVAL OF CLASS ACTION
 SETTLEMENT**

Date: May 12, 2023
 Time: 10:30 a.m.
 Judge: Hon. Yvonne Gonzalez Rogers
 Location: Courtroom 1

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I, Monica Murray, declare and state as follows:

1. I am a Case Coordinator with KCC Class Action Services, LLC (“KCC”), located at Los Angeles, California. Pursuant to the Amended Order Granting Preliminary Approval of Class Action Settlement and Setting Deadlines for Notice, Objection, Exclusion, and Final Fairness Hearing (the “Preliminary Approval Order”), the Court appointed KCC as the Settlement Administrator in connection with the proposed Settlement of the above-captioned Action. I have personal knowledge of the facts set forth herein. If called as a witness, I can and would testify competently to them. I make this declaration pursuant to 28 U.S.C. § 1746.

2. This Declaration is submitted in support of the Plaintiffs’ motion for final approval of the settlement between the Class and Defendant YouTube Inc., in settlement of this class action lawsuit against them and now pending before the court for final approval.

CLASS LIST

3. On October 12, 2022, KCC received from defense counsel a list of 1,441 persons identified as the Class List. The Class List included names, addresses, e-mail addresses, date of hire, date of termination, active status, client start date and roll off date. KCC formatted the list for mailing purposes, removed duplicate records, and processed the names and addresses through the National Change of Address Database (“NCOA”) to update any mailing addresses on file with the United States Postal Service (“USPS”). A total of 18 addresses were found and updated via NCOA. KCC updated its proprietary database with the Class List.

4. KCC initially received a list of 1,441 class members, completed a review of the data and identified a total of 9 duplicates, which were removed. Of the 1,432 remaining class members, 264 had an email address only, and 1161 class members had both an email and mailing address. Therefore, a total of 1,425 class members had an email address. One class member had a mailing address with no email address. Six class members did not have a mailing address or an email address.

5. KCC determined that of the 1,425 class members with an email address provided, 65 of those email addresses were invalid. Of these 65, 48 had mailing addresses, while 17 did not

1 have mailing addresses. Therefore, 1,360 class members had an email address to which email notice
2 could be sent.

3 **EMAILING OF THE NOTICE**

4 6. On October 28, 2022, KCC caused the Email Notice to be sent to the 1,360 class
5 members whose records on the Class List had valid email addresses. A true and correct copy of the
6 Email Notice is attached hereto as Exhibit A.

7 7. On November 2, 2022, KCC received a report from the email vendor confirming
8 that of the 1,360 emails, 1,304 emails were sent successfully without a notification of a bounce. Of
9 the 1,360 email addresses, 56 were reported to have not been successfully delivered or were email
10 address bounce backs. Of these 56, 19 class members had mailing addresses, while 37 class
11 members did not have a mailing address.

12 **MAILING OF THE POSTCARD NOTICE**

13 8. On October 28, 2022, KCC caused the Postcard Notice to be printed and mailed to
14 the 48 class members described in Paragraph 5. A true and correct copy of the Postcard Notice is
15 attached hereto as Exhibit B.

16 9. On October 28, 2022, Postcard Notice was sent to the 1 class member identified in
17 Paragraph 4 who had a mailing address but no email address.

18 10. Of the 17 class members described in Paragraph 5, KCC performed a search and
19 identified mailing addresses for 15 of those class members. On December 7, 2022, Postcard Notice
20 was sent to these 15 class members.

21 11. On November 29, 2022, KCC received address updates from Plaintiff's counsel for
22 4 of the 6 class members described in Paragraph 4 that had neither an email address nor a mailing
23 address. KCC immediately caused the Postcard Notice to be mailed to the newly provided
24 addresses.

25 12. On December 7, 2022, KCC caused the Postcard Notice to be mailed to the 19 class
26 members described in Paragraph 7 whose email notification was reported to have not been
27 successfully delivered or where there was an email bounce-back and who had a complete mailing
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1 address.

2 13. Since mailing the Postcard Notice to the Class Members, 12 Postcard Notices have
3 been returned by USPS with undeliverable addresses. Through credit bureau and/or other public
4 source databases, KCC performed address searches for these undeliverable Postcard Notices and
5 was unable to find updated addresses for any of these Class Members.

6 14. As a result, 3.7% of the class members did not receive notice.

7 **SETTLEMENT WEBSITE**

8 15. On October 28, 2022, KCC established a website,
9 www.contentmoderatorytsettlement.com, dedicated to this matter to provide information to the
10 Class Members and to answer frequently asked questions. The website URL was set forth in the
11 Long-Form Notice, the Email Notice, and the Postcard Notice. Visitors to the website can
12 download copies of the Long-Form Notice and other case-related documents. A true and correct
13 copy of the Long-Form Notice is attached hereto as Exhibit C. As of May 8, 2023, there have been
14 910 users, 1,468 sessions/hits (i.e., active visits to the website), and 2,315 page views of the website.

15 **TELEPHONE HOTLINE**

16 16. KCC established and continues to maintain a toll-free telephone number (888-710-
17 2838) for Class Members to call and obtain information about the Settlement, request a Notice,
18 and/or seek assistance from a live operator during regular business hours. The telephone hotline
19 became operational on October 28, 2022, and is accessible Monday-Friday 8 am – 8 pm EST. As
20 of May 8, 2023, KCC has received a total of 20 calls to the telephone hotline.

21 **EXCLUSION REQUESTS**

22 17. The Notice informs Class Members that requests for exclusion from the Class must
23 be submitted by December 29, 2022. As of the date of this declaration, KCC has received zero
24 requests for exclusion.

25 **OBJECTIONS TO THE SETTLEMENT**

26 18. The deadline for Class Members to object to the settlement was December 29, 2022.
27 As of the date of this declaration, KCC has received notice from the Court of zero objections to the
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1 settlement.

2 **CAFA NOTICE**

3 19. KCC mailed the notice required under the Class Action Fairness Act on January 12,
4 2023. Attached as Exhibit D is a true and correct copy of the notice sent (along with its attachments)
5 and the government officials to which it was sent.¹

6 **NOTICE OF CHANGE OF DATE OF FINAL APPROVAL HEARING**

7 20. On February 14, 2023, KCC caused notice of the changed date of the final approval
8 hearing to be sent to the 1,425 class members whose records on the Class List had valid email
9 addresses. A true and correct copy of that notice is attached hereto as Exhibit H.

10 21. On February 21, 2023, KCC received a report from the email vendor confirming
11 that of the 1,425 emails, 1,388 emails had been sent successfully without a notification of a bounce.
12 Of the 37 that were not successfully delivered or were email address bounce backs, KCC had
13 mailing addresses for 34 of the class members. KCC then caused notice of the form attached as
14 Exhibit H to be mailed to those class members.

15 **ADMINISTRATION COSTS ESTIMATE**

16 22. As of April 30, 2023, KCC's costs for administering the Settlement are \$50, 879.41.
17 These costs include the costs for data intake and processing, printing, preparing and sending email
18 and postcard notice, address searches, reporting, project management, website development and
19 telephone support. KCC will incur further expenses including website development, post-approval
20 noticing to obtain payment selection, forms processing, distribution, project management hours,
21 and telephone support. KCC's total fees and charges are estimated to not exceed \$150,000. KCC's
22 estimated fees and charges are based on certain information provided to KCC by the parties as well
23 as significant assumptions. Accordingly, the estimate is not intended to limit KCC's actual fees and
24 charges, which may be less or more than the estimated due to the scope of the actual services or
25 changes to the underlying facts or assumptions.

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28 ¹ The notice also included the list of class members along with some of their contact information. This list has not
been attached to this declaration in order to protect class members' privacy.

POST-APPROVAL NOTIFICATIONS

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23. Between January 18, 2023, and January 20, 2023, KCC received address updates for the 1,432 Class Members from Plaintiff’s counsel. As a result of these updates, KCC has email and mailing addresses for 1,421 Class Members, email addresses but no mailing addresses for 4 class members, and mailing addresses but no email addresses for 7 class members.

24. If final approval is granted, KCC will send the notice attached as Exhibit E to each of the class members for whom KCC has a valid email address and a valid mailing address. Class members for whom the email is returned or for whom KCC has only a mailing address will receive the postcard notice attached as Exhibit F. These notices will alert class members that they may elect a form of electronic payment and that, if they do not, payment will be sent to their mailing address on file.

25. The 4 Class Members for whom KCC has an email address, but no mailing address will receive the notice attached as Exhibit G. This notice will alert these class members that they cannot receive a payment unless they provide either elect a form of electronic payment or provide a mailing address.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on May 9, 2023 at Los Angeles, California.

Monica Murray

[Monica Murray]