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17 **UNITED STATES DISTRICT COURT**
18 **NORTHERN DISTRICT OF CALIFORNIA**
19 **SAN JOSE DIVISION**

20 IN RE GOOGLE ASSISTANT PRIVACY
LITIGATION
21 This Document Relates to:
22 ALL ACTIONS
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Case No.: 19-cv-04286-BLF-SVK

STIPULATION AND ~~PROPOSED~~
ORDER REGARDING PURCHASER
CLASS DEFINITION

Judge: Hon. Beth L. Freeman

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3 **STIPULATION REGARDING PURCHASER CLASS DEFINITION**

4 WHEREAS, on December 16, 2022, the Court granted in part and denied in part Plaintiffs'
5 Motion for Class Certification (ECF No. 360) (“Class Certification Order”), and certified the
6 “Purchaser Class” defined as “All Users who purchased a Google-Made Device, where . . . ‘Google-
7 Made Devices’ are Google Assistant Enabled Devices manufactured and sold by Google” Class
8 Certification Order at 31;

9 WHEREAS, on November 18, 2024, Defendants Alphabet Inc. and Google LLC (collectively
10 “Google”) filed an Administrative Motion for Clarification of Class Definition (ECF No. 461)
11 (“Admin Motion”), seeking “clarity regarding whether . . . the Purchaser Class is limited to those
12 individuals who purchased devices *directly* from Google, or also includes those individuals who
13 purchased devices from third parties.” Admin Motion at 1; and

14 WHEREAS, on December 2, 2024, the Court denied Google’s Admin Motion (ECF No. 463)
15 (“Order Re Admin Motion”), and ordered the Parties to “submit a stipulation updating the Purchaser
16 Class definition to align it with the Parties’ conduct and common understanding. . . .” Order Re Admin
17 Motion at 4;

18 **ACCORDINGLY, THE PARTIES HEREBY STIPULATE**, as required by the Court’s
19 Order Re Admin Motion, that the Purchaser Class definition be modified as follows (modifications
20 in bold and italics):

21 All Users who purchased a Google-Made Device, where

- 22 • “Users” are individuals whose Gmail accounts were associated with at least one
23 Google Assistant Enabled Device during the class period;
- 24 • “Google Assistant Enabled Devices” are devices that come with Google Assistant pre-
25 installed; and
- 26 • “Google-Made Devices” are Google Assistant Enabled Devices manufactured and
27 sold by Google *either directly or through third-party retailers*, including Google’s
28 own smart home speakers, Google Home, Home Mini, and Home Max; smart displays,
Google Nest Hub, and Nest Hub Max; and its Pixel smartphones.

IT IS SO STIPULATED.

Dated: December 6, 2024

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Respectfully Submitted

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~~[PROPOSED]~~ ORDER

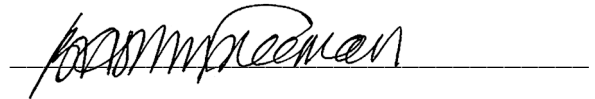
IT IS HEREBY ORDERED, this 10th day of December, 2024, as follows:

The Purchaser Class definition is: All Users who purchased a Google-Made Device, where

- “Users” are individuals whose Gmail accounts were associated with at least one Google Assistant Enabled Device during the class period;
- “Google Assistant Enabled Devices” are devices that come with Google Assistant pre-installed; and
- “Google-Made Devices” are Google Assistant Enabled Devices manufactured and sold by Google *either directly or through third-party retailers*, including Google’s own smart home speakers, Google Home, Home Mini, and Home Max; smart displays, Google Nest Hub, and Nest Hub Max; and its Pixel smartphones.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: December 10, 2024



HON. BETH LABSON FREEMAN
UNITED STATES DISTRICT JUDGE