

1 Dena C. Sharp (SBN 245869)
dsharp@girardsharp.com
2 Adam E. Polk (SBN 273000)
apolk@girardsharp.com
3 Simon S. Grille (SBN 294914)
sgrille@girardsharp.com
4 **GIRARD SHARP LLP**
5 601 California Street, Suite 1400
San Francisco, CA 94108
6 Telephone: (415) 981-4800
7 Facsimile: (415) 981-4846

Elizabeth J. Cabraser (SBN 083151)
Roger N. Heller (SBN 215348)
**LIEFF CABRASER HEIMANN &
BERNSTEIN, LLP**
275 Battery Street, 29th Floor
San Francisco, CA 94111-3339
Telephone: (415) 956-1000
ecabraser@lchb.com
rheller@lchb.com

Jason L. Lichtman (*pro hac vice* forthcoming)
Danna Z. Elmasry (*pro hac vice* forthcoming)
**LIEFF CABRASER HEIMANN &
BERNSTEIN, LLP**
250 Hudson Street, 8th Floor
New York, New York 10013-1413
Telephone: (212) 355-9500
jlichtman@lchb.com
delmasry@lchb.com

8
9
10
11
12 *Attorneys for Plaintiffs Eli Silva and
13 Ashley Gardiner*

Attorneys for Plaintiff Jose Moran

14 *(Additional Counsel on Signature Page)*

15 **UNITED STATES DISTRICT COURT**
16 **NORTHERN DISTRICT OF CALIFORNIA**
17 **SAN JOSE DIVISION**

18 WENDOVER PRODUCTIONS, LLC, a Limited
Liability Company; BUSINESSING, LLC, a
19 Limited Liability Company; THE
CHARISMATIC VOICE, LLC, a Limited
20 Liability Company; CLEARVISION MEDIA,
INC.; and GEAR LIVE MEDIA, LLC, a Limited
21 Liability Company,

22
23 Plaintiffs,

24 v.

25 PAYPAL, INC.,

26 Defendant.

Case No.: 5:24-cv-9470-BLF

**PLAINTIFFS' NOTICE OF UNOPPOSED
JOINT MOTION AND MOTION FOR
CONSOLIDATION OF ACTIONS AND TO
SET PROCESS FOR APPOINTMENT OF
INTERIM CLASS COUNSEL**

Date: May 8, 2025

Time: 9:00 a.m.

Location: Courtroom 3 – 5th Floor

Hon. Beth Labson Freeman

27
28 *(Additional Captions on Following Pages)*

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ELI SILVA AND ASHLEY GARDINER, on behalf of themselves and all others similarly situated,

Plaintiffs,

v.

PAYPAL HOLDINGS, INC., a California Corporation, PAYPAL, INC., a California Corporation,

Defendants.

Case No.: 5:24-cv-09510-BLF

GAMERSNEXUS LLC,

Plaintiff,

v.

PAYPAL HOLDINGS, INC., a California Corporation, PAYPAL, INC., a California Corporation,

Defendant.

Case No.: 5:25-cv-00114-BLF

CLAUDIA JAYNE YOUNG, Individually and on Behalf of All Others Similarly Situated,

Plaintiff,

v.

PAYPAL, INC. and PAYPAL HOLDINGS, INC.,

Defendant.

Case No.: 5:25-cv-00124-BLF

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

SHONNA COLEMAN, on behalf of herself and all others similarly situated,

Plaintiff,

v.

PAYPAL HOLDINGS, INC., a California Corporation, PAYPAL, INC., a California Corporation,

Defendants.

Case No.: 5:25-cv-00367-BLF

JOSE MORAN, individually and on behalf of others similarly situated,

Plaintiff,

v.

PAYPAL INC. and PAYPAL HOLDINGS, INC.,

Defendants.

Case No.: 5:25-cv-00476-BLF

LYON FITNESS, LLC, individually and on behalf of all others similarly situated,

Plaintiff,

v.

PAYPAL HOLDINGS, INC., a Delaware Corporation, and PAYPAL, INC., a Delaware Corporation,

Defendants.

Case No.: 5:25-cv-00501-BLF

1 EDGAR OGANESYAN and MATTHEW ELY,
2 individually and on behalf of all others similarly
3 situated,

Case No.: 3:25-cv-00518-BLF

4 Plaintiff,

5 v.

6 PAYPAL, INC. and PAYPAL HOLDINGS,
7 INC.,

8 Defendants.

9 BREVARD MARKETING LLC, individually
10 and on behalf of all others similarly situated,

Case No.: 5:25-cv-00573-BLF

11 Plaintiff,

12 vs.

13 PAYPAL, INC and PAYPAL HOLDINGS, INC,

14 Defendants.

15
16 **NOTICE OF MOTION AND MOTION**

17 TO ALL PARTIES AND THEIR COUNSEL OF RECORD

18 PLEASE TAKE NOTICE that on May 8, 2025, at 9:00 am or as soon thereafter as the motion
19 may be heard before the Honorable Beth Labson Freeman in Courtroom 3 of the United States District
20 Court for the Northern District of California, San Jose Division, 280 South 1st Street, San Jose,
21 California 95113, Plaintiffs Eli Silva; Ashley Gardiner; Jose Moran; Wendover Productions, LLC;
22 Businessing, LLC; The Charismatic Voice, LLC; Clear Vision Media, Inc.; Gear Live Media, LLC;
23 GamersNexus LLC; Claudia Jayne Young; Shonna Coleman; Lyon Fitness, LLC; Edgar Oganessian;
24 Matthew Ely; and Brevard Marketing LLC (“Plaintiffs”), through their undersigned counsel, will, and
25 hereby do, move this Court for an order:

26 1. Consolidating, pursuant to Federal Rule of Civil Procedure 42(a), the following nine (9)
27 related putative class actions (the “Related Actions”) pending in this Court concerning PayPal’s use of
28 the Honey browser extension, and any future related actions filed in, removed to, or transferred to this

1 Court, under the docket number of the first-filed case, No. 5:24-cv-09470-BLF, and under the title *In re*
2 *PayPal Honey Browser Extension Litigation*:

- 3 • *Wendover, et al. v. PayPal Inc.*, No. 5:24-cv-09470-BLF (N.D. Cal.) (“Wendover”),
4 filed on December 29, 2024;
- 5 • *Silva v. PayPal Holdings, Inc., et al.*, No. 5:24-cv-09510-BLF (N.D. Cal.) (“Silva”),
6 filed on December 30, 2024;
- 7 • *GamersNexus LLC v. PayPal Holdings, Inc., et al.*, No. 5:25-cv-00114-BLF (N.D.
8 Cal.) (“GamersNexus”), filed on January 3, 2025;
- 9 • *Young v. PayPal, Inc., et al.*, No. 5:25-cv-00124-BLF (N.D. Cal.) (“Young”), filed on
10 January 3, 2025;
- 11 • *Coleman v. PayPal, Inc., et al.*, No. 5:25-cv-00367-BLF (N.D. Cal.) (“Coleman”),
12 filed on January 10, 2025;
- 13 • *Moran v. PayPal, Inc., et al.*, No. 5:25-cv-00476-BLF (N.D. Cal.) (“Moran”), filed on
14 January 14, 2025;
- 15 • *Lyon Fitness, LLC v. PayPal, Inc., et al.*, No. 5:25-cv-00501-BLF (N.D. Cal.) (“Lyon
16 Fitness”), filed on January 14, 2025;
- 17 • *Oganesyan, et al. v. PayPal, Inc., et al.*, No. 4:25-cv-00518-BLF (N.D. Cal.)
18 (“Oganesyan”), filed on January 15, 2025; and
- 19 • *Brevard Marketing LLC v. PayPal, Inc. et al.*, No. 5:25-cv-00573-BLF (N.D. Cal.)
20 (“Brevard”), filed on January 16, 2025; and

21 2. Establishing a procedure for the filing of applications for appointment of interim class
22 counsel pursuant to Federal Rule of Civil Procedure 23(g).

23 Plaintiffs’ motion is based on this Notice of Motion and Motion; the accompanying
24 Memorandum of Points and Authorities; the Declaration of Adam E. Polk; the Proposed Order submitted
25 herewith; and any other matter the Court may wish to consider. Counsel for Plaintiffs have conferred
26 with counsel for Defendants PayPal Holdings, Inc. and PayPal, Inc., and Defendants have indicated they
27 do not oppose consolidation of the Related Actions or appointment of interim class counsel.

MEMORANDUM OF POINTS AND AUTHORITIES

I. INTRODUCTION

Plaintiffs respectfully and jointly move for an order consolidating, pursuant to Rule 42(a), the Related Actions, all of which arise from the same nucleus of operative facts—PayPal’s alleged use of the Honey browser extension to misappropriate referral commissions that should be awarded to online content providers—as well as any future related actions that may be filed in, or transferred or removed, to this Court, and recaptioning the consolidated action as *In re Paypal Honey Browser Extension Litigation*. Plaintiffs also seek an order setting a schedule for counsel to file motions to appoint interim class counsel pursuant to Rule 23(g) and for the filing of a consolidated complaint. Plaintiffs in the Related Actions agree that consolidation and appointment of interim class counsel is appropriate, and Defendants do not oppose consolidation of the Related Actions or the appointment of interim class counsel.

The nine Related Actions¹ each involve claims against Defendant Paypal, Inc. stemming from its use of the Honey browser extension to misappropriate referral commissions. To streamline early case organization, and in the spirit of efficiency, Plaintiffs request that the Court consolidate the Related Actions and set a schedule for counsel to file applications for the appointment of interim class counsel. Defendants do not oppose consolidation or appointment of interim class counsel.

Consolidation of the Related Actions is appropriate because they arise from the same nucleus of operative facts, assert similar causes of action, define similar and overlapping classes, and seek similar remedies. All of the Related Actions name PayPal, Inc. as a defendant, and several of the Related Actions name an additional defendant, PayPal Holdings, Inc., which holds all of the assets and liabilities of PayPal, Inc.

In addition to consolidation, and consistent with the Manual for Complex Litigation, appointment of interim class counsel will clarify the roles and responsibilities of counsel on behalf of the

¹ The Court granted Plaintiffs’ request to administratively relate nine cases on January 17, 2025. *See Wendover*, Dkt. No. 35. Since Plaintiffs’ request was filed on January 16, three additional Related Actions have been filed in this District. Plaintiffs filed a request to administratively relate those cases to the *Wendover* case on January 21 (*see Wendover*, Dkt. No. 36), and it is anticipated those cases will be deemed related. If deemed related, Plaintiffs will file a stipulation or motion to consolidate the additional Related Actions with those that are the subject of the present motion.

1 class(es), avoid duplicative work and promote judicial efficiency. Plaintiffs respectfully request that the
2 Court implement a process for interested parties to submit applications for interim class counsel
3 appointments following consolidation of the Related Actions.

4 For the foregoing reasons and those that follow, Plaintiffs respectfully request the Court
5 consolidate the Related Actions and set a schedule for briefing on motions to appoint interim class
6 counsel.

7 **II. STATEMENT OF THE ISSUES TO BE DECIDED**

- 8 1. Whether the Related Actions should be consolidated under Rule 42(a); and
9 2. Whether the Court should implement a process to appoint interim class counsel under
10 Rule 23(g).

11 **III. BACKGROUND**

12 PayPal is a San Jose-based corporation that owns and operates Honey Science Corporation,
13 which developed the Honey browser extension. PayPal widely advertised the Honey browser extension
14 as a tool consumers can use to automatically search the internet for the best coupons that can be applied
15 to online purchases. Plaintiffs in the Related Actions are online content providers who promote products
16 to their followers and viewers and earn commissions when their followers and viewers use their unique
17 links to buy the products. Plaintiffs allege that PayPal falsely advertised the Honey browser extension
18 because it does not find consumers the best coupons. Moreover, Plaintiffs allege that after consumers
19 have already made their decision to buy a product using an online marketer's link, thereby entitling the
20 online marketer to any commission because they influenced the sale, PayPal surreptitiously
21 misappropriates the commission when the consumer uses Honey, whether or not Honey locates and
22 applies any available discounts.

23 The Related Actions are proposed class actions filed on behalf of classes of persons who
24 participate in affiliate referral programs and had referral fees diverted to PayPal as a result of the Honey
25 browser extension. *See e.g., Silva*, Dkt. No. 1, ¶ 71. Based on overlapping facts, each Related Action
26 alleges that PayPal used Honey to wrongfully misappropriate referral fees earned by Plaintiffs. The
27 Plaintiffs in each of the Related Actions assert similar claims and allege the same or similar damages,
28 including common law business torts and violations of state laws prohibiting unfair trade practices.

1 **IV. ARGUMENT**

2 **A. The Court Should Consolidate All of the Related Actions Under Rule 42(a)**

3 Pursuant to Rule 42(a), a court may consolidate actions if they “involve a common question of
4 law or fact[.]” Fed. R. Civ. P. 42(a); see *Investors Research Co. v. United States Dist. Court*, 877 F.2d
5 777 (9th Cir. 1989) (holding that the court “has broad discretion under this rule to consolidate cases”)
6 Here, the Related Actions name common defendants, arise from the same factual allegations regarding
7 PayPal’s use of the Honey browser extension, and assert similar causes of action for overlapping classes.
8 The similarities across the Related Actions weigh strongly in favor of consolidation. See *Miller v. U.S.*
9 *Postal Serv.*, 729 F.2d 1033, 1036 (5th Cir. 1984) (“The proper solution to the problems created by the
10 existence of two or more cases involving the same parties and issues, simultaneously pending in the
11 same court would be to consolidate them under Rule 42(a)”) (citation omitted). Defendants do not
12 oppose consolidation. Polk Decl. ¶ 2.

13 Consolidating the Related Actions and any later filed or removed cases will streamline and
14 organize this litigation, allowing the Court to efficiently resolve common issues. See *Bower v. Wright*
15 *Med. Tech. Inc.*, No. 217CV03178CASKSX, 2018 WL 294521, at *2 (C.D. Cal. Jan. 3, 2018) (“In
16 determining whether to consolidate, a court weighs the interest in judicial convenience against the
17 potential for delay, confusion, and prejudice caused by consolidation”) (citation omitted); see, e.g.,
18 *Lowery v. Spotify USA Inc.*, No. CV 15-09929-BRO (RAOx), 2016 WL 6818756, at *2 (C.D. Cal. May
19 23, 2016) (finding that consolidation would “promote judicial economy because the Court’s burden in
20 managing the two cases will decrease.”); *Gudimetla v. Ambow Educ. Holding Ltd.*, No. CV 12-5062
21 PSG (AJWx), 2012 WL 12887767, at *2 (C.D. Cal. Nov. 19, 2012) (finding that “consolidation of the
22 related lawsuits would avoid needless costs and delays.”).

23 The same nucleus of operative facts gives rise to each of the Related Actions. The similar claims
24 and overlapping class definitions favor consolidation, which will optimize efficiency for the Court and
25 the parties. See *Brown v. Acutus Med., Inc.*, No. 22-CV-206-RSH-KSC, 2022 WL 2820557, at *1 (S.D.
26 Cal. July 19, 2022) (“The two complaints involve the same defendants, identical proposed classes, many
27 of the same factual allegations, and identical causes of action Given the similar factual and legal
28 issues, consolidation of the two cases would promote judicial economy.”).

1 Consolidation will allow plaintiffs to file a single, consolidated complaint, reducing the burdens
 2 on Defendants and the Court of responding to, and adjudicating, nine related but distinct complaints and
 3 avoiding the risk of inconsistent rulings. *Galfer v. City of Los Angeles*, No. CV 13-00664 SJO (MRWx),
 4 2014 WL 6455792, at *1 (C.D. Cal. Nov. 14, 2014) (“Given the similarities between the plaintiffs’
 5 claims . . . the Court ruled that consolidation would result in more efficient discovery and the uniform
 6 resolution of dispositive motions.”). Moreover, consolidation will prevent duplicative discovery given
 7 that the Related Actions involve the same relevant documents—e.g., communications and technical
 8 specifications related to the Honey browser extension—and the same witnesses will be deposed. *See id.*;
 9 *Dusky v. Bellasaire Invs.*, No. SACV07-874 DOC (ANx), 2007 WL 4403985, at *6 (C.D. Cal. Dec. 4,
 10 2007) (“Coordinated discovery and motion practice will aid the parties and the Court in focusing and
 11 limiting the issues that are in dispute, coming to consistent factual and legal conclusions regarding the
 12 transaction at issue, and mitigating the potential that the parties will waste substantial resources in
 13 duplicating each others’ work.”).

14 Finally, consolidation will not cause any prejudice, added costs, or delay. Each of the Related
 15 Actions is in its early stages, with no responsive pleadings having been filed and discovery yet to
 16 commence. *See Griffey v. Magellan Health Inc.*, No. CV-20-01282-PHX-MTL, 2020 WL 5981904, at
 17 *2 (D. Ariz. Oct. 8, 2020) (holding that consolidation was proper where “[b]oth cases are at the initial
 18 stages of litigation”).

19 Consolidation is warranted and should be granted.

20 **B. The Court Should Implement A Process for Appointing Interim Class Counsel**
 21 **Pursuant to Fed. R. Civ. P. 23(g)**

22 Rule 23(g)(3) provides that the Court “may designate interim counsel to act on behalf of a
 23 putative class before determining whether to certify the action as a class action.” Fed. R. Civ. P.
 24 23(g)(3). The Rule “authorizes [a] court to designate interim counsel during the pre-certification period
 25 if necessary to protect the interests of the putative class.” *Azpeitia v. Tesoro Refining & Marketing Co.*
 26 *LLC*, 2017 WL 4071368, at *1 (N.D. Cal. Sept. 14, 2017). “The appointment of interim class counsel . .
 27 . is particularly suited to complex actions.” *In re Google Assistant Priv. Litig.*, No. 19-CV-04286-BLF,
 28 2020 WL 7342713, at *1 (N.D. Cal. Dec. 14, 2020). Here, there are already nine Related Actions, and

1 three additional related actions have been filed in this District. Plaintiffs in these actions are represented
 2 by different counsel. Under these circumstances, implementing a streamlined process for the
 3 appointment of interim class counsel under Rule 23(g)(3) will be beneficial to the effective prosecution
 4 of the class claims and will clarify the roles and responsibilities of counsel on behalf of the class. *See*
 5 *Manual for Complex Litigation (Fourth) § 21.11 (2004)* (“If . . . there are a number of overlapping,
 6 duplicative, or competing suits pending in other courts, and some or all of those suits may be
 7 consolidated, a number of lawyers may compete for class counsel appointment. In such cases,
 8 designation of interim counsel clarifies responsibility for protecting the interests of the class during
 9 precertification activities.”). Accordingly, Plaintiffs propose the following streamlined process to
 10 facilitate appointment of interim class counsel:

- 11 • Plaintiffs’ counsel in any of the consolidated Related Actions may file an individual or joint
 12 application for consideration as interim class counsel. Those motions shall be due fourteen
 13 (14) calendar days from the date of entry of the Court’s order granting consolidation. Each
 14 attorney’s individual or joint application shall not exceed ten (10) pages double-spaced
 15 addressing the factors set forth in Rule 23(g) and may attach or include a link to their firm
 16 resume(s). Counsel may file an optional two-page double-spaced response (including
 17 attachments), no later than five (5) business days from the filing deadline of the initial
 18 applications. No reply briefs will be permitted.
- 19 • Within 45 days following the entry of the order appointing interim class counsel, interim
 20 class counsel, on behalf of Plaintiffs, shall file a Consolidated Complaint. Defendants will
 21 respond to the Consolidated Complaint within 45 days. If Defendants respond by way of
 22 motion, Plaintiffs will have 40 days to oppose the motion, and Defendants will have 21 days
 23 to reply.

24 **V. CONCLUSION**

25 For the reasons set forth above, Plaintiffs jointly request the Court grant their motion and enter
 26 an order: (1) consolidating the Related Actions, and any future related actions filed in, removed to, or
 27 transferred to this Court, pursuant to Fed. R. Civ. P. 42(a) under the docket of the first-filed *Wendover*
 28

1 action and recaption the action *In re PayPal Honey Browser Extension Litigation* and (2) setting a
2 schedule for counsel to file motions to appoint interim class counsel.

3
4 Dated: January 22, 2025

Respectfully submitted,

5 By: /s/ Adam E. Polk

6 Dena C. Sharp (SBN 245869)

7 Adam E. Polk (SBN 273000)

8 Simon S. Grille (SBN 294914)

GIRARD SHARP LLP

601 California Street, Suite 1400

9 San Francisco, CA 94108

10 Telephone: (415) 981-4800

dsharp@girardsharp.com

11 apolk@girardsharp.com

sgrille@girardsharp.com

12 Gary M. Klinger (*pro hac vice* forthcoming)

13 Alexandra M. Honeycutt (*pro hac vice*

14 forthcoming)

MILBERG COLEMAN BRYSON PHILLIPS

GROSSMAN, PLLC

15 227 W. Monroe Street, Suite 2100

16 Chicago, IL 60606

17 Telephone: (866) 252-0878

gklinger@milberg.com

18 ahoneycutt@milbergl.com

19 *Attorneys for Plaintiffs Eli Silva and Ashley*
20 *Gardiner*

21 Elizabeth J. Cabraser (SBN 083151)

22 Roger N. Heller (SBN 215348)

LIEFF CABRASER HEIMANN &

BERNSTEIN, LLP

23 275 Battery Street, 29th Floor

24 San Francisco, CA 94111-3339

25 Telephone: (415) 956-1000

ecabraser@lchb.com

26 rheller@lchb.com

27 Jason L. Lichtman (*pro hac vice* forthcoming)

28 Danna Z. Elmasry (*pro hac vice* forthcoming)

LIEFF CABRASER HEIMANN &

BERNSTEIN, LLP

250 Hudson Street, 8th Floor
New York, New York 10013-1413
Telephone: (212) 355-9500
jlichtman@lchb.com
delmasry@lchb.com

Attorneys for Plaintiff Jose Moran

John P. Kristensen (SBN 224132)

KRISTENSEN LAW GROUP

120 Santa Barbara St., Suite C9
Santa Barbara, California 93101
Telephone: (805) 837-2000
john@kristensen.law

Devin J. Stone (SBN 260326)

EAGLE TEAM LLP

1050 Connecticut Ave., NW
Suite 5038
Washington, DC 20036
Telephone: (833) 507-8326
devin@eagleteam.law

Josh Sanford (SBN 2001037) (*pro hac vice*
forthcoming)

Jarrett Ellzey (SBN 24040864) (*pro hac vice*
forthcoming)

Leigh S. Montgomery (SBN 24052214) (*pro hac*
vice forthcoming)

EKSM, LLP

1105 Milford Street
Houston, Texas 77066
Telephone: (713) 554-2377
jsanford@eksm.com
jellzey@eksm.com
lmontgomery@eksm.com

*Attorneys for Plaintiffs Wendover Productions,
LLC, Businessing, LLC, The Charismatic Voice,
LLC, Clearvision Media, Inc., and Gear Live
Media, LLC*

Thomas Eric Loeser

COTCHETT PITRE & MCCARTHY LLP

1809 7th Avenue, Suite 1610

1 Seattle, WA 98101
2 Telephone: (206) 802-1272
3 tloeser@cpmlegal.com

4 *Attorneys for Plaintiff GamersNexus, LLC*

5 Brian O. O'Mara
6 **DICELLO LEVITT LLP**
7 4747 Executive Dr., Ste 240
8 San Diego, CA 92121
9 Telephone: (619) 923-3939
10 briano@dicellolevitt.com

11 Adam J. Levitt (*pro hac vice* forthcoming)
12 Amy Keller (*pro hac vice* forthcoming)
13 Daniel R. Schwartz (*pro hac vice* forthcoming)
14 **DICELLO LEVITT LLP**
15 Ten North Dearborn Street, Sixth Floor
16 Chicago, Illinois 60602
17 Telephone: 312-214-7900

18 *Attorneys for Claudia Jayne Young*

19 E. Michelle Drake
20 emdrake@bm.net
21 **BERGER MONTAGUE PC**
22 1229 Tyler Street NE, Suite 205
23 Minneapolis, MN 55413
24 Telephone: (612) 594-5933

25 Sophia Marie Rios
26 srios@bm.net
27 **BERGER MONTAGUE PC**
28 8241 La Mesa Blvd., Suite A
La Mesa, CA 91942
Telephone: 619-489-0300

Joshua P. Davis
jdavis@bm.net
BERGER MONTAGUE PC
505 Montgomery Street, Suite 625
San Francisco, CA 94111
Telephone: (415) 215-0962

Attorneys for Plaintiff Shonna Coleman

1 Rosemary M. Rivas
2 rmr@classlawgroup.com
3 **GIBBS LAW GROUP LLP**
4 1111 Broadway, Suite 2100
5 Oakland, CA 94607
6 Telephone: (510) 350-9700

Attorneys for Plaintiff Lyon Fitness, LLC

6 Julian Hammond (SBN 268489)
7 jhammond@hammondlawpc.com
8 Polina Brandler (SBN 269086)
9 pbrandler@hammondlawpc.com
10 Ari Cherniak (SBN 290071)
11 acherniak@hammondlawpc.com
12 **HAMMOND LAW, P.C.**
13 1201 Pacific Ave., 6th Floor
14 Tacoma, WA 98402
15 Telephone: (310) 601-6766
16 Facsimile: (310) 295-2385

13 Douglas J. McNamara (*pro hac vice* forthcoming)
14 dmcnamara@cohenmilstein.com
15 Karina G. Puttieva (SBN 317702)
16 kputtieva@cohenmilstein.com
17 **COHEN MILSTEIN SELLERS & TOLL PLLC**
18 1100 New York Ave. NW, 8th Floor
19 Washington, DC 20005
20 Telephone: (202) 408-4600
21 Facsimile: (202) 408-4699

*Attorneys for Plaintiffs Edgar Oganessian and
Matthew Ely*

20 Chris A. Seeger (*pro hac vice* forthcoming)
21 David R. Buchanan (*pro hac vice* forthcoming)
22 Stephen Weiss (*pro hac vice* forthcoming)
23 Scott A. George (*pro hac vice* forthcoming)
24 **SEEGER WEISS LLP**
25 55 Challenger Rd, Suite 600
26 Ridgefield Park, NJ 05667
27 Telephone: 973-639-9100
28 cseeger@seegerweiss.com
dbuchanan@seegerweiss.com
sweiss@seegerweiss.com
sgeorge@seegerweiss.com

Attorneys for Plaintiff Brevard Marketing LLC

ATTESTATION OF FILER

I, Adam E. Polk, am the ECF user whose ID and password are being used to file this document. In compliance with Civil L.R. 5-1(i)(3), I hereby attest that all counsel have concurred in this filing.

Dated: January 22, 2025

/s/ Adam E. Polk

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28