

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT – CHANCERY DIVISION**

LINDABETH RIVERA, et al.

Plaintiffs,

v.

GOOGLE LLC,

Defendant.

Case No. 2019-CH-00990

Calendar 15

Hon. Anna M. Loftus

PLAINTIFFS' STATUS REPORT

Plaintiffs hereby submit the following status report in advance of the status conference set for June 2, 2023 at 10:00 AM.

On April 14, 2023, the Court adopted Class Counsel's proposed verification process and ordered the Settlement Administrator ("P&N") to implement it.

Between May 4 and May 27, 2023, P&N successfully implemented the Court-approved verification process. Attached hereto as Exhibit 1 is a second supplemental affidavit from Ryan Aldridge ("2d Supp. Aldridge Aff."), associate director at P&N, which provides a detailed account of the process and its results.

As detailed in Mr. Aldridge's affidavit, verification emails were sent between May 4, 2023, and May 6, 2023. (2d Supp. Aldridge Aff. ¶¶ 7, 13.) All recipients had at least 21 days to respond. (*Id.* ¶ 7.) A reminder email was sent in the second week of the process, and a second reminder email in the third week. (*Id.* ¶¶ 9, 14-15.) P&N carefully followed the spam avoidance procedures ordered by the Court for both verification and reminder emails. (*Id.* ¶¶ 5, 6.)

In response to the verification and reminder emails, P&N received a total 8,274 Photo ID verifications and 201,778 SMS verifications. (*Id.* ¶ 18.) It has concluded that 418 of the Photo ID submissions and 67,403 of the SMS submissions were either obviously fraudulent or duplicative of another submission, rendering those submissions invalid. (*Id.* ¶¶ 19-21.) In addition, P&N was able to verify 25,128 additional claims through its household verification procedure. (*Id.* ¶ 22.)

P&N has now received a total of 687,484 claims that it has determined to be valid, which will result in an payout to each Claimant of between \$95 and \$96.

Dated: May 31, 2023

Respectfully submitted,

By: /s/ Robert Ahdoot
Robert Ahdoot

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EXHIBIT 1

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
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LINDABETH RIVERA, et al.

Plaintiffs,

v.

GOOGLE, LLC,

Defendant.

Case No. 2019-CH-00990

Judge: Hon. Anna M. Loftus

**SECOND SUPPLEMENTAL AFFIDAVIT OF RYAN ALDRIDGE REGARDING THE
CLAIM VERIFICATION CAMPAIGN**

I, Ryan Aldridge, hereby declare and state as follows:

1. I am an Associate Director in the Postlethwaite & Netterville, APAC (“P&N”) Consulting Services Group. I am responsible for leading and managing projects in the areas of class action and mass tort claims administration, and I have served in operational leadership roles for numerous class action and mass tort settlement programs. The following statements are based on my personal knowledge, information provided by other experienced P&N employees working under my supervision, and my review of information and documents provided by counsel.

2. I submit this affidavit as a second supplement to my affidavit filed in this action on January 18, 2023, and my first supplemental affidavit filed on February 15, 2023.

The Email Verification Process Ordered by Court was Successfully Implemented

3. Class Counsel provided P&N with a copy of the Court’s Order dated April 14, 2023 (“April 14th Order”), which directs P&N to perform a verification campaign in accordance with the terms set forth in Paragraph 3 therein.

4. On or about April 18, 2023, Class Counsel also provided P&N with exemplars of the verification and reminder emails that the Court approved.

5. In accordance with the April 14th Order, in transmitting the verification and reminder emails, P&N complied with the procedures set forth in my January 18, 2023, Affidavit at paragraphs 27-29, specifically:

a. P&N diligently followed industry standard email best practices to ensure that emails are not deemed “junk,” blocked, or directed to spam folders, such as including “unsubscribe” links and Administrator contact information, using valid reverse DNS records for sending IP addresses, and maintaining IP addresses with strong sender reputations. In addition, P&N worked with third party service providers to monitor our sending IP pool to maintain their reputation and monitor for block listing.

b. P&N checked the contents of the verification emails for known spam triggers and sent them according to HTML standards without tables, graphs, or other content that

may increase the likelihood of the email landing in SPAM folders and/or being blocked by internet service providers.

c. P&N distributed the determination (verification) e-mails batched into groups which were sent over a period of time to ensure the sending IP addresses were “warm” and to avoid hitting rate limits by inbox providers (such as Gmail and Yahoo).

6. Prior to sending any emails, Google’s counsel confirmed that there has been no change or supplement to Google’s policies and best practices to avoid spam from the version previously provided to P&N by Google’s counsel.

7. The Court-ordered verification emails (as set forth in the exemplar attached as Exhibit A) were transmitted between May 4, 2023, and May 6, 2023. All recipients had at least 21 days (three weeks) to respond to the request for verification. The deadline to respond to the verification emails was May 27, 2023.

8. The verification email included a link directly to the page on the Settlement Website where an individual could enter the information needed to verify the validity of his or her claim. The Settlement Website’s landing page also included an easy-to-view, prominent link to the same verification page to which the verification emails directed (see screenshot attached as Exhibit B).

9. Reminder emails were sent in the second and third week of the three-week verification process:

a. Between May 10, 2023, and May 12, 2023, P&N sent reminder emails (an exemplar is attached as Exhibit C) to all verification email recipients who had not submitted a response to the initial verification email as of May 10, 2023.

b. Between May 18, 2023, and May 19, 2023, P&N sent a second, identical reminder email (Exhibit C) to all verification email recipients who had not submitted a response to the initial verification or first reminder emails as of May 18, 2023.

10. The emails were sent to the email addresses provided in the Claim Forms at issue.

11. P&N did not send verification or reminder emails to claimants who had been previously verified, to email addresses that previously were established as undeliverable, or to

anyone who requested to be unsubscribed from all emails.

12. In my January 18, 2023, affidavit (at paragraph 31), I reported that P&N sent 1,212,191 verification emails in November 2023, and that 1,180,867 of those emails were deliverable. Subsequently, P&N verified 88,994 claims (paragraphs 33 and 34). Additionally, P&N received 1,819 unsubscribe requests from these email recipients. To comply with e-mail best practices, the unsubscribe requests were honored and not sent further communication. Thus, 1,090,054 emails remained for the verification campaign ordered by the Court on April 14, 2023.

13. Table 1 below provides a summary of the statistics associated with the verification emails sent between May 4, 2023, and May 6, 2023 (Exhibit A):

Table 1 – Verification Email Results		
Description	Count	Percent
Verification Email Sent	1,090,054	100%
Verification Email Delivered	1,068,547	98.03%
Verification Email Opened by Deadline Provided	226,890	21.23%

14. Table 2 below provides a summary of the statistics associated with the first reminder emails sent between May 10, 2023, and May 12, 2023 (Exhibit C):

Table 2 – First Reminder Email Results		
Description	Count	Percent
First Reminder Email Sent	1,000,026	100%
First Reminder Email Delivered	992,018	99.20%
First Reminder Email Opened by Deadline Provided	181,160	18.26%

15. Table 3 below provides a summary of the statistics associated with the second reminder emails sent between May 18, 2023, and May 19, 2023 (Exhibit C):

Table 3 – Second Reminder Email Results		
Description	Count	Percent
Second Reminder Email Sent	925,028	100%
First Reminder Email Delivered	916,202	99.05%
First Reminder Email Opened by Deadline Provided	134,635	14.69%

16. The initial verification and reminder emails contained hyperlinks that, when clicked, led recipients directly to the verification form on the Settlement Website (Exhibit D). Any individual whose claim was not previously verified could verify his or her claim by either (i) submitting a photo ID, or (ii) entering a mobile number to receive an SMS-based text message with a six-digit code to be entered into the form.

17. To access the form on the Settlement Website, claimants were required to enter their Settlement Claim ID (provided upon completion of the original claim submission and in the verification and reminder emails) and complete a reCAPTCHA. If the claim associated with the Settlement Claim ID entered already had been validated, a message appeared stating that the Settlement Claim ID is valid and that the claim does not require verification. If the claim associated with the Settlement Claim ID required verification, the form then required the person to enter their first and last name, email address, and complete one of the two verification methods.

The Results of the Email Verification Process

18. Between May 4 and May 27, 2023, P&N received 201,778 submissions to the verification form (Exhibit D). 193,504 of which were submitted using the SMS verification process, and 8,274 were submitted using a photo ID.

19. P&N monitored verification responses in real time and diligently analyzed the results following the May 27, 2023, deadline. As of May 31, 2023, P&N has determined that 58,484 of the responses submitted using the SMS verification process are clearly fraudulent, and therefore should not be honored, for the following reasons:

a. All of these verification responses either featured frequent usage (in excess of ten uses) of the same phone number to complete the SMS verification process, or the use of suspicious email addresses utilizing apparently formulaically created, random syntax patterns substantially similar to those described in the examples provided in Paragraphs 9-13 of my February 15 Affidavit;

b. All of these claims' verification responses also provided a phone number for the SMS verification option which failed verification, based on information from a third-party data aggregator specializing in identification and risk management solutions, that determined all of these numbers had no known association with the name on the associated claim submission, and the vast majority (over 90%) had no association with Illinois.

c. In addition, a substantial portion of these verification responses also exhibited one or more of the following fraud indicators: (i) email addresses utilizing newly created domains or known fraudulent domains; (ii) email addresses or IP Addresses associated with prior international fees assessed by PayPal, as reported to P&N by its digital payment partner; (iii) foreign IP Addresses, or (iv) suspicious payment accounts (this includes the frequency, or count, of the same digital payment account being used for multiple responses).

d. As mentioned above, P&N's digital payment partner has reported to P&N whether certain information provided to validate or submit claims previously has been associated with international fees assessed by PayPal using a managed database of transactions aggregated across all settlements for which it has provided digital payment services. Most of these international fees have been linked to Chinese accounts. Each such fee is approximately \$3.50, which increases administration costs.

20. In addition, P&N considers an additional 8,919 of the verification responses to be duplicative and therefore invalid (this means that these claims were either duplicative of prior verified claim or were the subject of multiple verification attempts).

21. P&N also reviewed (in real time) the 8,274 claim verification responses using uploaded photo IDs and determined that 418 of these attempts are invalid because the photo ID

was clearly fake or altered.

22. P&N performed additional analysis to validate 25,128 more claims that did not respond to the verification emails by reviewing for additional members of a household who had been validated, applying the process described at Paragraph 34 of my January 18 Affidavit in this matter.

23. Thus, P&N is prepared to deem an additional 159,085 claims as valid for a total of 687,484 valid claims; P&N estimates that the approximate Settlement Payment to each valid claim will be between \$95 and \$96.

Response to New Inquiries From The Edelson Firm

24. Class Counsel forwarded an email from Eli Wade-Scott from the Edelson firm alleging that some recipients had less than 21 days to respond to the verification email (Exhibit A). This is false. All recipients had at least 21 days (some more) to respond to the verification email.

25. Mr. Wade-Scott also alleged that certain emails were going to spam, but I am informed and believe that he did not provide examples when asked. As stated above, P&N followed the Court's April 14th Order and utilized best practices to avoid spam filters (*see supra*, ¶¶ 5, 6).

26. Class Counsel forwarded to me correspondence from an attorney at the Edelson law firm requesting information on the claim this individual submitted. The individual reported being in receipt of the initial email verification sent in November 2023. This individual did not respond to the November 2023 verification request. However, this individual's claim was verified using the household analysis described in paragraph 34 of my January 18, 2023, Affidavit; P&N was able to validate this claim by reviewing information provided by other household members who had been validated.

CONCLUSION

I declare under penalty of perjury that the foregoing is true and correct to the best of my

knowledge and belief.

Executed this 31st day of May 2023 in Baton Rouge, Louisiana.

A handwritten signature in black ink that reads "Ryan Aldridge". The signature is written in a cursive style with a large initial "R".

Ryan Aldridge

Exhibit A: Verification E-mail



Rivera, et al. v. Google LLC: Claim Verification Notice

1 message

Rivera, et al. v. Google LLC Settlement <notice@pnclassaction.com>

Reply-To: info@googlebipasettlement.com

To [REDACTED]

Settlement Claim ID: ABC-1234567

Claim Verification Notice

Dear First Name Last Name,

The claim that you submitted in connection with the *Rivera, et al. v. Google LLC* class action settlement requires further verification. **If you do not verify your claim as described in this email, you will not be paid. To complete your claim verification, you must take one of the following two actions in accordance with the instructions in this email:**

1. ENTER A ONE-TIME CODE SENT VIA A TEXT MESSAGE TO YOUR CELL PHONE OR OTHER ELECTRONIC DEVICE.

OR

2. PROVIDE A COPY OF YOUR PHOTO ID.

You must complete the claim verification process using the "Verify My Claim" option located on the Settlement Website (www.GoogleBIPASettlement.com) by no later than May 27, 2023. By either visiting the Settlement Website or clicking [here](#), you may select your preferred option to complete your claim verification.

You will also be required to provide your Settlement Claim ID ABC-123 567, first and last name, and email address.

Failure to respond to verify your claim by May 27, 2023, or an incomplete response, will result in the rejection of your claim. Completion of the verification process does not guarantee payment of your claim.

You may submit questions regarding this notice by sending an email to info@GoogleBIPASettlement.com. For additional information about the settlement, please visit the case website at www.GoogleBIPASettlement.com.

Sincerely,

Office of the Settlement Administrator

PLEASE NOTE: The information you provide will be used solely for the purpose of the claims administration process for this matter, and will not be used for any other purpose. Personally Identifiable Information (PII) is stored in a combination of paper and electronic files and is protected by security measures appropriate to the nature of the information. PII is retained to the extent required to fulfill our obligations as outlined in orders of the Court.

Rivera, et al. v. Google LLC Settlement

PO Box 5229

Baton Rouge, LA 70821

[Unsubscribe](#)

Exhibit B: Settlement Website (Landing Page)



Rivera, et al. v. Google LLC Class Action Settlement

If, At Any Time Between May 1, 2015 And April 25, 2022, You Appeared In a Photograph In Google Photos While You Were An Illinois Resident, You May Be Entitled To Get a Payment From a Class Action Settlement.

[Verify my Claim](#)

Update: On April 14, 2023, the Court ordered that the administrator continue to attempt to verify certain claims and set a Status Conference for June 2, 2023 at 10:00 AM Central via the Court's Zoom link (<https://circuitcourtofcookcounty.zoom.us/j/95535573920>). Further updates will be posted on this website as they become available. Please note that payment of claims will be delayed until such a time as the verification process ordered by the Court is completed and reviewed by the Court.

Settlement Information

A Settlement has been reached in a class action lawsuit against Google LLC ("Defendant" or "Google"). The lawsuit alleges that Google violated Illinois law by collecting and storing biometric data of individuals who, while residing in Illinois, appeared in a photograph in the photograph sharing and storage service known as Google Photos ("Google Photos"), without proper notice and consent.

Class Members who file valid claims will be eligible to receive a pro rata portion of the \$100,000,000 Settlement Fund after deduction of Court approved fees, costs, and expenses. The actual cash amount that an individual will receive will depend on the number of valid claims and deductions for Court-approved notice and settlement administration expenses, attorneys' fees, litigation costs and expenses, and service payments to the Class Representatives.

Who Is a Class Member?

Important Dates

September 28, 2022

On September 28, 2022 the Court entered a Final Order and Judgment approving the Settlement, awarding Attorney's Fees and Expenses, and Service Payments

May 27, 2023

If you received a Claim Verification Notice from the Settlement Administrator, you must complete the claim verification process by May 27, 2023.

Exhibit C: Reminder Verification E-mail



REMINDER - Rivera, et al. v. Google LLC: Claim Verification Notice

Rivera, et al. v. Google LLC Settlement <notice@pnclassaction.com>

Reply-To: info@googlebipasettlement.com

T [REDACTED]

Settlement Claim ID: ABC-1234567

Claim Verification Notice

Dear First Name Last Name,

This email is a reminder that you must complete verification of your claim by May 27, 2023, in the *Rivera, et al. v. Google LLC* class action settlement, or the claim will be rejected. Our records indicate that, as of the date of this email, you have not completed the verification process.

As previously detailed, the claim you submitted in connection with the *Rivera, et al. v. Google LLC* class action settlement was reviewed by the Settlement Administrator and requires further verification. **To complete your claim verification, you must take one of the following two actions in accordance to the instructions in this email:**

1. ENTER A ONE-TIME CODE SENT VIA A TEXT MESSAGE TO YOUR CELL PHONE OR OTHER ELECTRONIC DEVICE.

OR

2. PROVIDE A COPY OF YOUR PHOTO ID.

You must complete the claim verification process using the “Verify My Claim” option located on the Settlement Website (www.GoogleBIPASettlement.com) by no later than May 27, 2023. By either visiting the Settlement Website or clicking [here](#), you may select your preferred option to complete your claim verification. You will also be required to provide your Settlement Claim ID **ABC-1234567**, first and last name, and email address.

Failure to respond to verify your claim by May 27, 2023, or an incomplete response, will result in the rejection of your claim. Completion of the verification process does not guarantee payment of your claim.

You may submit questions regarding this notice by sending an email to

info@GoogleBIPASettlement.com. For additional information about the settlement, please visit the case website at www.GoogleBIPASettlement.com.

Sincerely,

Office of the Settlement Administrator

PLEASE NOTE: The information you provide will be used solely for the purpose of the claims administration process for this matter, and will not be used for any other purpose. Personally Identifiable Information (PII) is stored in a combination of paper and electronic files and is protected by security measures appropriate to the nature of the information. PII is retained to the extent required to fulfill our obligations as outlined in orders of the Court.

Rivera, et al. v. Google LLC Settlement

PO Box 5229, Baton Rouge, LA 70821

[Unsubscribe - Unsubscribe Preferences](#)

Exhibit D: Verification Form



Verify My Claim

1

Begin Verification

2

Claim Verification

3

Confirmation

To complete your claim verification, you must take one of the following two actions:

1. ENTER A ONE-TIME CODE SENT VIA A TEXT MESSAGE TO YOUR CELL PHONE OR OTHER ELECTRONIC DEVICE

OR

2. PROVIDE A COPY OF YOUR PHOTO ID.

You must complete the claim verification process by no later than May 27, 2023. To begin, enter the Settlement Claim ID included in the Verification Email that you received. Your Settlement Claim ID can also be found in the confirmation email sent to you after completion of your initial claim submission in this case.

Enter your Settlement Claim ID to begin.

Settlement Claim ID

I'm not a robot



[Begin Verification >](#)



This website is supervised by Counsel and the Court and is controlled by the Settlement Administrator that handles all aspects of the notice program and claims processing. This is the only authorized website for this litigation. Other websites may contain incorrect information about this litigation and should not be relied upon. If you have questions, please contact the Settlement Administrator.

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Verify My Claim

1

Begin Verification

2

Claim Verification

3

Confirmation

To verify your claim submission you must complete the required (*) fields below and select your preferred option to verify your claim.

First Name*

50 Characters Remaining.

Last Name*

50 Characters Remaining.

Suffix

Email Address*

500 Characters Remaining.

To complete your claim verification, you must take one of the following two actions:

- ENTER A ONE-TIME CODE SENT VIA A TEXT MESSAGE TO YOUR CELL PHONE OR OTHER ELECTRONIC DEVICE.
- PROVIDE A COPY OF YOUR PHOTO ID.

Please provide a Valid Cell Phone Number and Click Send Code.

By clicking "Send Code" below, you authorize us (the Settlement Administrator) to send a text message to the phone number you provided for verification of your Settlement Claim. You must enter the code contained in the text message on the next window to complete the verification process. The phone number you provide will be used only to verify your Settlement Claim and will not be retained after the conclusion of this case.

Send Code

[◀ Back](#)

[Submit Verification ▶](#)



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Verify My Claim

1

Begin Verification

2

Claim Verification

3

Confirmation

To verify your claim submission you must complete the required (*) fields below and select your preferred option to verify your claim.

First Name*

50 Characters Remaining.

Last Name*

50 Characters Remaining.

Suffix

Email Address*

500 Characters Remaining.

To complete your claim verification, you must take one of the following two actions:

- ENTER A ONE-TIME CODE SENT VIA A TEXT MESSAGE TO YOUR CELL PHONE OR OTHER ELECTRONIC DEVICE.
- PROVIDE A COPY OF YOUR PHOTO ID.

Upload a copy of your Photo ID using the upload file option below. Your file must be clear and readable in order for the Settlement Administrator to complete the verification process. Acceptable file types include JPG, PNG, or PDF.

Select File for Upload

Browse

Upload File

[◀ Back](#)

[Submit Verification ▶](#)



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Verify My Claim

1

Begin Verification

2

Claim Verification

3

Confirmation

Your claim verification was successfully submitted!

Settlement Claim ID: BBB-1667502
Confirmation Number: 3147964

Please print this confirmation page for your records. If you provided a valid email address, you will also receive a confirmation email with this information.

Please be advised that completion of the verification process does not guarantee payment of your claim. All payments are subject to verification.

Please do NOT contact the Court for questions or issues.

You may submit questions by sending an email to info@GoogleBIPASettlement.com. For additional information about the settlement, please visit the case website at www.GoogleBIPASettlement.com. Please do NOT contact the Court for questions or issues.



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