Hibnick v. Google Inc. Doc. 106 Att. 20

EXHIBIT 24

EXHIBIT 24 REPLY DECLARATION OF GARY E. MASON

NOV 16 2010

GARDEN CITY GROUP

In re Google Buzz User Privacy Litigation, No. 5:10-cv-00672-JW

To Whom It May Concern:

First and foremost, I – along with every other Google user – am the one who has suffered damages by having my privacy violated. Yet I am not getting anything from the settlement. If I and other members of our class are the ones with damages, where is our payment? What do we get? Why are they being allowed to donate money to charities that they will be able to write off as a tax deduction? It would be trivial to divide the amount by the number of users and to have Google deposit funds to our Google Checkout accounts. So far, the only advantage for anyone is this to Google, who essentially loses nothing in this settlement and to the lawyers who will get paid handsomely for their part in creating this settlement. Google gives money to charity and gets a tax benefit. Because the case is "settled", Mr. Mason gets to enjoy quite a nice pay day. Yet he has crafted this settlement in which we – the plaintiffs – get nothing. This is a fundamental breach of his ethical duty to represent the interests of the members of the class.

I am not entirely sure what I should provide to prove that I am a class member. I am however attaching the notice that I received via email from Google.

Sincerely yours

Ms/fimi Thompson 3042 FM 3364

Princeton, TX 75407



Important Information about Google Buzz Class Action Settlement

1 message

Google Buzz <noreply-buzz-classaction@google.com>
To: morrighu@gmail.com

Tue, Nov 2, 2010 at 2:30 PM

Google rarely contacts Gmail users via email, but we are making an exception to let you know that we've reached a settlement in a lawsuit regarding Google Buzz (http://buzz.google.com), a service we launched within Gmail in February of this year.

Shortly after its launch, we heard from a number of people who were concerned about privacy. In addition, we were sued by a group of Buzz users and recently reached a settlement in this case.

The settlement acknowledges that we quickly changed the service to address users' concerns. In addition, Google has committed \$8.5 million to an independent fund, most of which will support organizations promoting privacy education and policy on the web. We will also do more to educate people about privacy controls specific to Buzz. The more people know about privacy online, the better their online experience will be.

Just to be clear, this is not a settlement in which people who use Gmail can file to receive compensation. Everyone in the U.S. who uses Gmail is included in the settlement, unless you personally decide to opt out before December 6, 2010. The Court will consider final approval of the agreement on January 31, 2011. This email is a summary of the settlement, and more detailed information and instructions approved by the court, including instructions about how to opt out, object, or comment, are available at http://www.BuzzClassAction.com.

This mandatory announcement was sent to all Gmail users in the United States as part of a legal settlement and was authorized by the United States District Court for the Northern District of California.

Google Inc. | 1600 Amphitheatre Parkway | Mountain View, CA 94043

Clerk of the United States District Court for the Northern District of California San Jose Division 280 South 1street San Jose, CA 95113

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