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10 [Additional Counsel listed on signature page]  
 11 *Attorneys for Plaintiff and the Proposed Class*

12 **THE UNITED STATES DISTRICT COURT**  
 13 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
 14 **SAN JOSE DIVISION**

15 EVA HIBNICK and ANDRANIK  
 16 SOUVALIAN, individually and on behalf  
 17 of all others similarly situated,  
 18  
 19 Plaintiffs,  
 20  
 21 v.  
 22 GOOGLE, INC.,  
 23  
 24 Defendant.

Case No.: 10-CV-00672-JW

**[PROPOSED] PRETRIAL ORDER NO. 1**

Date: July 12, 2010  
 Time: 10:00am  
 Place: Courtroom 8, 4<sup>th</sup> Floor  
 [Hon. James Ware]

**Original Complaint Filed: 02/17/10**

25 AND NOW, this 6 day of May 2010, IT IS ORDERED as follows:

- 26 1. The above-captioned case and the related case, *Feldman v. Google, Inc.*, 10-cv-01433  
 27 (N.D. Cal. April 5, 2010), are, until further notice order, hereby CONSOLIDATED for pretrial  
 28 purposes.
2. The clerk shall maintain a master docket and case file under the style "*In re Google Buzz*

1 User Privacy Litigation.” All pleadings, orders, motions and other documents filed and docketed in  
2 the master case file shall bear the following caption:

3 **IN RE GOOGLE BUZZ USER PRIVACY LITIGATION** ) **Case No. 10-CV-00672-JW**  
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9 **THIS DOCUMENT RELATES TO:**  
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8 All such documents will be deemed filed and docketed in each individual case to the extent possible.

9 3. Orders, pleadings, motions, and other documents will bear a caption similar to that of the  
10 caption set forth above in paragraph 2 of this Order. If generally applicable to all consolidated  
11 actions, they shall include in their caption the notation that they relate to “ALL CASES” and be filed  
12 and docketed only in the master file. Documents intended to apply only to particular cases will  
13 indicate in their caption the case number of the case(s) to which they apply, and extra copies shall be  
14 provided to the clerk to facilitate filing and docketing both in the master case file and the specified  
15 individual case files.

16 4. Discovery requests and responses will not be filed with the court except when  
17 specifically ordered by the Court or to the extent offered in connection with a motion.

18 5. To act on behalf of the Plaintiffs with the responsibilities described herein, the court  
19 designates as:

20 a. Lead Counsel:

21 Gary E. Mason  
22 Mason LLP  
23 1625 Massachusetts Avenue, Suite 605  
24 Washington, DC 20036  
25 Tel: 202-429-2990

26 b. Liaison Counsel:

27 Michael Ram  
28 Ram & Olson LLP  
639 Front Street, 4<sup>th</sup> Floor  
Tel: 415-433-4949

1 c. Members of Plaintiffs' Steering Committee:

2 Gary E. Mason  
3 Mason LLP  
4 1625 Massachusetts Avenue, Suite 605  
5 Washington, DC 20036  
6 Tel: 202-429-2990

7 Michael Ram  
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9 639 Front Street, 4<sup>th</sup> Floor  
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13 1001 SW 5<sup>th</sup> Ave., Suite 1100  
14 Portland, OR 97204  
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16 Jonathan Shub  
17 Shub Law LLC 1818 Market Street, 13<sup>th</sup> Floor  
18 Philadelphia, PA 19102  
19 Tel: 610-453-6551

20 Peter N. Wasyluk  
21 Law Offices of Peter N. Wasyluk  
22 1307 Chalkstone Avenue  
23 Providence, RI 02908  
24 Tel: 401-831-7730

25 William Rubenstein  
26 1545 Massachusetts Avenue  
27 Cambridge, MA 02138  
28 Tel: 617- 496-7320

6. Interim Lead Counsel shall be responsible for the overall conduct of the litigation on behalf of Plaintiffs and shall specifically:

- a. Determine and present (in briefs, oral argument, or such other fashion as may be appropriate, personally or by a designee) to the court and opposing parties the position of the plaintiffs on all matters arising during the pretrial proceeding;
- b. Initiate and conduct discovery proceedings on behalf of Plaintiffs consistent with the Federal Rules of Civil Procedure, including the preparation of interrogatories and requests for production of documents and the examination of witnesses in depositions;

- c. Negotiate and enter into stipulations with defense counsel with respect to all matters involved in this litigation, including discovery and settlement;
- d. Delegate specific tasks to other counsel or committees of counsel for Plaintiffs to facilitate the orderly and efficient prosecution of this litigation and to avoid duplicative or unproductive efforts;
- e. Consult with and employ experts;
- f. Coordinate and communicate with defense counsel with respect to all matters involving this litigation;
- g. Prepare and distribute periodic status reports to the parties;
- h. Maintain a record of time and expenses expended by Plaintiff's counsel;
- i. Perform other such duties and undertake such other responsibilities as deemed necessary or desirable to the proper coordination of Plaintiffs' pretrial activities or authorized by further order of the court.

7. Plaintiffs' Liaison Counsel shall:

- a. Maintain and distribute to co-counsel and to Defendant's Liaison Counsel an up-to-date service list;
- b. Receive and, as appropriate, distribute to co-counsel orders from the court, and documents from Defendant's counsel;
- c. Maintain and make available to co-counsel at reasonable hours a complete file of all documents served by or upon each party, except such documents as may be available at a document depository;
- d. Establish and maintain a document depository.

8. Plaintiffs' Steering Committee shall from time to time consult with Plaintiffs' Lead and Liaison Counsel in coordinating the Plaintiffs' pretrial activities and in planning for trial.

9. No communication among Plaintiffs' counsel shall be taken as a waiver of any privilege or protection to which they would otherwise be entitled.

10. All Plaintiffs' counsel participating in these actions shall submit to Lead Counsel, on a quarterly basis, contemporaneously maintained detailed time and expense records. Failure to

1 maintain accurate time records and/or the timely submission of the same will be grounds for Lead  
2 Counsel to without future work assignments.

3 IT IS SO ORDERED.

4 Dated:

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7 HONORABLE JAMES WARE  
8 UNITED STATES DISTRICT JUDGE  
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