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9 Attorneys for Plaintiffs and the Settlement Class

10 **UNITED STATES DISTRICT COURT**
 11 **NORTHERN DISTRICT OF CALIFORNIA**
 12 **SAN JOSE DIVISION**

14 In re GOOGLE REFERRER HEADER PRIVACY
 15 LITIGATION
 16
 17 _____
 18 This Document Relates To: All Actions
 19

Case No. 5:10-cv-04809-EJD

CLASS ACTION

**DECLARATION OF RANDALL
 W. EDWARDS IN SUPPORT OF
 JOINT STATUS REPORT**

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1 Pursuant to 28 U.S.C. § 1746, I hereby declare and state as follows:

2 1. I am an attorney admitted to practice in the State of California and in this District,
3 and I represent defendant Google Inc. in the above-titled action. I am over the age of eighteen and
4 am fully competent to make this declaration. This declaration is based upon my personal
5 knowledge, except where expressly noted otherwise.

6 2. In April 2014, prior to Google's implementation of the disclosures contemplated
7 under the Settlement Agreement, Google made changes to its search services that changed how
8 referrer headers are handled. As a result, Google revised its disclosure, pursuant to Section 3.1 of
9 the Settlement Agreement, to reflect the current practices with respect to its search service. The
10 revised disclosure, which is now incorporated on Google's website per the Settlement Agreement
11 reads as follows:

12 **Are my search queries sent to websites when I click on Google**
13 **Search results?**

14 In some cases, yes. When you click on a search result in Google
15 Search, your web browser also may send the Internet address, or
16 URL, of the search results page to the destination webpage as the
17 HTTP Referrer. The URL of the search results page may
18 sometimes contain the search query you entered. If you are using
19 SSL Search (Google's encrypted search functionality), under most
20 circumstances, your search terms will not be sent as part of the
21 URL in the HTTP Referrer. There are some exceptions to this
22 behavior, such as if you are using some less popular browsers.
23 More information on SSL Search can be found here. Search
24 queries or information contained in the HTTP Referrer may be
25 available via Google Analytics or an application programming
26 interface (API). In addition, advertisers may receive information
27 relating to the exact keywords that triggered an ad click.

28 3. Also in April 2014, Google reorganized its website and changed the location of its
Web History disclosures. Google no longer maintains a separate webpage titled "Privacy FAQ for
Google Web History." Accordingly, the disclosure language for Web History was moved to the
webpage <https://support.google.com/accounts/answer/54068?hl=en>, titled "About Web History."
The content of the disclosure language is substantially the same as the disclosure language
attached to the Settlement Agreement.

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I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: May 2, 2014

O'MELVENY & MYERS LLP

/s/ Randall W. Edwards
Randall W. Edwards
Counsel for Defendant Google in Gaos

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FILER'S ATTESTATION

Pursuant to General Order No. 45, Section X, Subparagraph B, the undersigned attests that Randall W. Edwards has concurred in the filing of this Declaration.

Dated: May 2, 2014

NASSIRI & JUNG LLP

/s/ Kassra P. Nassiri
Kassra P. Nassiri
Counsel for Plaintiffs Gaos & Italiano