

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

John Johnson, Individually and on behalf of all others similarly situated

DEFENDANTS

Yahoo! Inc.

(b) County of Residence of First Listed Plaintiff Alameda (EXCEPT IN U.S. PLAINTIFF CASES)

County of Residence of First Listed Defendant Santa Clara (IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

(c) Attorneys (Firm Name, Address, and Telephone Number) COTCHETT, PITRE & McCARTHY, LLP (See Attachment A) 840 Malcolm Road, Suite 200, Burlingame, CA 94010 Tel: (650) 697-6000

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- 1 U.S. Government Plaintiff, 2 U.S. Government Defendant, 3 Federal Question (U.S. Government Not a Party), 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- Citizen of This State, Citizen of Another State, Citizen or Subject of a Foreign Country, PTF DEF, Incorporated or Principal Place of Business In This State, Incorporated and Principal Place of Business In Another State, Foreign Nation

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Table with 5 columns: CONTRACT, REAL PROPERTY, TORTS, CIVIL RIGHTS, PRISONER PETITIONS, FORFEITURE/PENALTY, LABOR, IMMIGRATION, BANKRUPTCY, SOCIAL SECURITY, FEDERAL TAX SUITS, OTHER STATUTES. Includes various legal categories like Insurance, Personal Injury, Real Estate, etc.

V. ORIGIN (Place an "X" in One Box Only)

- 1 Original Proceeding, 2 Removed from State Court, 3 Remanded from Appellate Court, 4 Reinstated or Reopened, 5 Transferred from Another District, 6 Multidistrict Litigation

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity): 28 U.S.C. § 1332(d) Brief description of cause: (See Attachment B)

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. DEMAND \$ CHECK YES only if demanded in complaint: JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY

(See instructions): JUDGE (See Attachment C) DOCKET NUMBER

DATE 12/22/2016 SIGNATURE OF ATTORNEY OF RECORD /s/ Joseph W. Cotchett

IX. DIVISIONAL ASSIGNMENT (Civil L.R. 3-2)

(Place an "X" in One Box Only) SAN FRANCISCO/OAKLAND SAN JOSE EUREKA

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**ATTACHMENT A**

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*Attorneys for Plaintiffs*

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**ATTACHMENT B**

Plaintiffs bring this lawsuit for: (1) Negligence; (2) Negligent Misrepresentation; (3) Breach of Express or Implied Contract; (4) Violation of California Civil Code § 1798.80, *et seq.*; (5) Violation of California’s Unfair Competition Law; (6) Bailment; and (7) Unjust Enrichment arising from the August 2013 hack of Yahoo user accounts, which was not disclosed until December 14, 2016.

**ATTACHMENT C**

<b>CASE NAME</b>	<b>CASE NO.</b>	<b>JUDGE</b>
<i>Gulley, et al. v. Yahoo! Inc.</i>	5:16-cv-07154	Hon. Lucy H. Koh
<i>Hartline, et al. v. Yahoo Inc.</i>	5:16-cv-07246	Magistrate Judge Howard R. Lloyd
<i>Gulley, et al. v. Yahoo Inc.</i>	5:16-cv-07261	Magistrate Judge Nathanael M. Cousins
<i>Gerald Cleaver, et al. v. Yahoo Inc.</i>	5:16-cv-07264	Magistrate Judge Nathanael M. Cousins
<i>Mortensen, et al. v. Yahoo! Inc.</i>	5:16-cv-07182	Hon. Lucy H. Koh
<i>Gonzalez, et al. v. Yahoo! Inc.</i>	5:16-cv-07206	Magistrate Judge Howard R. Lloyd

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