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page)
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 14 **UNITED STATES DISTRICT COURT**
 15 **CENTRAL DISTRICT OF CALIFORNIA**
 16 **SOUTHERN DIVISION**

17 JANE DOE on behalf of herself and all
 18 others similarly situated,

19 **Plaintiff,**

20 v.

21 MINDGEEK USA INCORPORATED,
 MINDGEEK S.A.R.L., MG
 22 FREESITES, LTD (D/B/A PORNHUB),
 MG FREESITES II, LTD, MG
 23 CONTENT RT LIMITED, AND 9219-
 1568 QUEBEC, INC. (D/B/A
 24 MINDGEEK),
Defendants.

Case No. 8:21-cv-00338-CJC-ADS

Hon. Cormac J. Carney

**NOTICE AND SUPPLEMENTAL
 DECLARATION OF GINA
 INTREPIDO-BOWDEN IN
 SUPPORT OF NOTICE OF
 CHANGES TO PROPOSED
 NOTICE PLAN**

1 **TO ALL PARTIES AND THEIR COUNSEL OF RECORD:**

2 **PLEASE TAKE NOTICE THAT**, per the Court’s Order Granting in
3 Substantial Part Plaintiff’s Renewed Motion to Approve Form and Manner of Class
4 Notice (Dkt. 225), Plaintiff Jane Doe, on behalf of herself and the certified classes,
5 by and through her undersigned counsel, hereby alerts the Court of the following
6 amendments to the proposed class notice plan.

7 On January 26, 2024, the Court approved a six-week media plan and press
8 release. Dkt. 225. The proposed media and press release plan listed specific media
9 platforms, websites, and countries for press release distribution for the class notice
10 campaign. Dkt. 211-2 at 7-12. Pursuant to the Declaration of Gina Intrepido-Bowden,
11 part of the approved notice plan was that Plaintiff would “alert” the Court if media
12 platforms “refus[ed] the proposed notice placements” and seek “comparable
13 alternatives” for any platform that did so. *Id.* at 4. Pursuant to the approved notice
14 plan, Plaintiff notifies that certain platforms “refused” the proposed notices and
15 identifies the “comparable alternatives.” *Id.*

16 JND has worked to implement the class notice as approved by the Court. *See*
17 Supplemental Declaration of Gina Intrepido-Bowden at 2. As described in the
18 supplemental declaration of Gina Intrepido-Bowden, certain platforms and countries
19 have refused to run the media campaign and/or the press release. *Id.* at 2. JND has
20 therefore found “comparable alternatives.” *Id.* Plaintiff therefore provides notice to
21 the Court of these changes to the six-week media and press release plan, which are
22 summarized below: (1) utilizing a programmatic digital partner (OMTD) and iHeart
23 streaming audio, rather than the Google Display Network and Spotify streaming
24 audio respectively, for notice placements targeting Teens 13-17, (2) removing Reddit
25 from the supplemental digital effort and only utilizing New York Times and X, and
26 (3) removing the press release for distribution by Asian countries, Middle East
27 countries, Russia, and Poland, and instead changing to select newlines. *Id.*
28 Defendants MindGeek USA Inc., MindGeek S.à.r.l., MG Freesites Ltd, MG Freesites

1 II Ltd, 9219-1568 Quebec Inc., and MG Content RT Ltd (collectively “Defendants”)
2 have no objection to these changes.

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Dated: February 8, 2024

Respectfully submitted,

By: /s/ Madeline Yzurdiaga
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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN DIVISION**

JANE DOE on behalf of herself and all
others similarly situated,

Plaintiff,

MINDGEEK USA INCORPORATED,
MINDGEEK S.A.R.L., MG FREESITES,
LTD (D/B/A PORNHUB), MG
FREESITES II, LTD, MG CONTENT RT
LIMITED, AND 9219-1568 QUEBEC,
INC. (D/B/A MINDGEEK),

Defendants.

Case No. 8:21-cv-00338

CLASS ACTION

**SUPPLEMENTAL
DECLARATION OF GINA
INTREPIDO-BOWDEN
REGARDING NOTICE PLAN**

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I, Gina Intrepido-Bowden hereby declare and state as follows:

1. I am a Vice President at JND Legal Administration LLC (“JND”). I am a nationally recognized legal notice expert with more than 20 years of experience designing and implementing class action legal notice programs. I have been involved in many of the largest and most complex class action notice programs, including all aspects of notice dissemination.

2. I previously submitted a *Declaration Regarding Notice Plan*, dated August 21, 2023 (ECF No. 125), which outlined JND’s background and experience with providing adequate notice to members of a certified class, including class members not identified through Defendants’ records, and outlined a proposed notice plan for this action.

3. I submitted another *Declaration Regarding Notice Plan*, dated December 22, 2023 (ECF No. 211-2), that described the proposed plan for providing notice to Class Members (the “Notice Plan”) and addressed why it is consistent with other best practicable court-approved notice programs and the requirements of Rule 23 of the Federal Rules of Civil Procedure (“Rule 23”), the Due Process Clause of the United States Constitution, and the Federal Judicial Center (“FJC”) guidelines for best practicable due process notice.

4. In its January 26, 2024 *Order Granting in Substantial Part Plaintiff’s Renewed Motion to Approve Form and Manner of Class Notice* (ECF No. 225), this Court approved the form and manner of notice, with the exception of Defendants’ posting of notice on their websites.

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5. Upon receiving Court approval, JND began implementing the Notice Plan. During implementation we were informed that the Google Display Network (“GDN”) and Spotify audio streaming rejected all targeting to teens 13-17 years of age (“Teens 13-17”) because of the “adult” content related to this matter. As a result, JND sought comparable alternatives to GDN and Spotify. We propose shifting GDN’s impressions targeting Teens 13-17 to a programmatic digital partner (OMTD) and Spotify’s audio targeting Teens 13-17 to iHeart streaming audio. The Notice Plan will continue to deliver 42 million digital impressions, reaching approximately 70% of Teens 13-17, as outlined in ¶ 26-27 of my December 22, 2023 Declaration.

6. During implementation we were also informed that Reddit refused to run the campaign because of its sensitive subject matter. As a result, JND sought a comparable alternative to Reddit. We propose shifting Reddit activity to X (formerly Twitter). The Notice Plan will continue to deliver 3 million supplemental digital impressions to newsworthy platforms, as outlined in ¶ 35 of my December 22, 2023 Declaration.

7. Additionally, we were informed that the press release proposed in ¶ 27 of my December 22, 2023 Declaration was not accepted for distribution by Asian/Middle East countries, Russia, and Poland. As a result, we recommend changing the distribution from Premier Global to select newslines, including US1+, Canada Bilingual, Full Latin America, Pan Europe (excluding Russia/Poland), and Africa (English). The press release will be translated into English, Czech, French, German, Portuguese, Slovak, and Spanish.

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8. In my opinion, the Notice Plan, including the proposed modifications, provides the best notice practicable under the circumstances and is consistent with the requirements of Rule 23, and other similar court-approved best notice practicable notice programs. The modified Notice Plan is designed to reach as many Class Members as possible and inform them about the litigation and their rights and options, and provide them with the opportunity to review a plain language notice with the ability to easily take the next step and learn more about the litigation.

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

Executed this on February 8, 2024, at Philadelphia, PA.



GINA INTREPIDO-BOWDEN