

1 Michael J. Bowe  
mbowe@brownrudnick.com  
2 Lauren Tabaksblat  
ltabaksblat@brownrudnick.com  
3 **BROWN RUDNICK LLP**  
7 Times Square  
New York, NY 10036  
4 Telephone: (212) 209-4800  
5 Facsimile: (212) 209-4801

David M. Stein (#198256)  
dstein@olsonstein.com  
**OLSON STEIN LLP**  
240 Nice Lane, #301  
Newport Beach, California 92663  
Telephone: (949) 887-4600

6 *Attorneys for Opt-Out Plaintiffs*

7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
SOUTHERN DIVISION**

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

Plaintiff,

v.

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-CJC-ADS

*Hon. Cormac J. Carney*

**UNOPPOSED MOTION TO  
RECOGNIZE 21 OPT-OUT  
FORMS AS ADDITIONAL VALID  
EXCLUSIONS FROM THE CLASS**

1 Certain Opt-Out Plaintiffs identified below respectfully move this Court for an  
2 Order Recognizing 21 Opt-Out Forms as Additional Valid Exclusions From the  
3 Class. In support of this unopposed motion, those certain Opt-Out Plaintiffs aver the  
4 following:

5 1. On November 17, 2023, the Court granted Plaintiff’s Motion for Class  
6 Certification and certified under both Federal Rules of Civil Procedure 23(b)(2) and  
7 23(b)(3) two classes. (ECF No. 209 at 1-2.) The Court first certified a national class  
8 including “all persons who were under the age of 18 when they appeared in a video  
9 or image that has been uploaded or otherwise made available for viewing on any  
10 website owned or operated by Defendants in the last ten years” (the “National  
11 Class”). (ECF No. 107 at 44, ¶ 154.) The Court next certified a subclass of “all  
12 persons residing in California who were under the age of 18 when they appeared in a  
13 video or image that has been uploaded or otherwise made available for viewing on  
14 any website owned or operated by Defendants in the last ten years” (the “California  
15 Subclass”, together with the National Class, the “Class”). (*Id.* ¶ 155.)

16 2. The deadline for class members to submit a request for exclusion from  
17 the Class (“Opt-Out Form”) was April 22, 2024. Brown Rudnick LLP represents 46  
18 plaintiffs that submitted Opt-Out Forms by the April 22, 2024 opt-out deadline (“BR  
19 Opt-Out Plaintiffs”).

20 3. On May 6, 2024, Plaintiff filed a Notice of Valid Exclusions from the  
21 Class Pursuant to the Order Approving Form and Manner of Notice (Dkt. 225) and  
22 attached a redacted list of individuals who validly requested exclusion from the  
23 Class as of May 6, 2024 as Exhibit A. (Dkt. Nos. 305, 305-1.)

24 4. Exhibit A excluded a portion of timely submitted BR Opt-Out Plaintiffs  
25 because the Claims Administrator determined that the submitted forms had a  
26 technical issue (“Invalid Opt-Out Forms”). In response to the Claims  
27 Administrator’s determination, 21 timely submitted Invalid Opt-Out Forms were  
28 corrected, resubmitted to the Claims Administrator (“Corrected Opt-Out Forms”) on

1 May 16, May 17, May 21, May 23, and May 28, 2024, and deemed valid by the  
2 Claims Administrator.

3 5. Counsel for BR Opt-Out Plaintiffs have conferred with counsel for  
4 Plaintiff Jane Doe and the Class, and Defendants MindGeek USA Inc., MindGeek  
5 S.à.r.l., MG Freesites Ltd, MG Freesites II Ltd, 9219-1568 Quebec Inc., and MG  
6 Content RT Ltd, and they do not oppose this motion.

7 **WHEREFORE**, the undersigned attorneys respectfully request that this  
8 Court:

- 9 A. Grant this Unopposed Motion to Recognize 21 Opt-Out Forms as  
10 Additional Valid Exclusions from the Class; and  
11  
12 B. Enter an order recognizing the 21 individuals who submitted Invalid Opt-  
13 Out Forms by the April 22, 2024 deadline and later cured the technical  
14 defects by resubmitting Corrected Opt-Out Forms that were deemed valid  
15 by the Claims Administrator as part of Exhibit A to the Notice of Valid  
16 Exclusions from the Class Pursuant to the Order Approving Form and  
17 Manner of Notice (Dkt. 225). (Dkt. Nos. 305, 305-1.)  
18

19 Dated: May 29, 2024

Respectfully submitted,

22 /s/ David M. Stein  
23 MICHAEL J. BOWE  
24 mbowe@brownrudnick.com  
25 LAUREN TABAKSBLAT  
26 ltabaksblat@brownrudnick.com  
27 **BROWN RUDNICK LLP**  
28 7 Times Square  
New York, NY 10036  
Telephone: (212) 209-4800  
Fascimile: (212) 209-4801

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

DAVID M. STEIN (#198256)  
dstein@olsonstein.com  
**OLSON STEIN LLP**  
240 Nice Lane, #301  
Newport Beach, California 92663  
Telephone: (949) 887-4600

*Attorneys for Opt-Out Plaintiffs*

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
SOUTHERN DIVISION**

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

Plaintiff,

v.

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-CJC-ADS

*Hon. Cormac J. Carney*

**[PROPOSED] ORDER  
RECOGNIZING 21 OPT-OUT  
FORMS AS ADDITIONAL VALID  
EXCLUSIONS FROM THE CLASS**

1           The Court, having reviewed the Unopposed Motion to Recognize 21 Opt-Out  
2 Forms as Additional Valid Exclusions from the Class, now ORDERS as follows:

3           The 21 individuals who submitted Invalid Opt-Out Forms by the April 22,  
4 2024 deadline and later cured the technical defects by resubmitting Corrected Opt-  
5 Out Forms that were deemed valid by the Claims Administrator are now part of  
6 Exhibit A to the Notice of Valid Exclusions from the Class Pursuant to the Order  
7 Approving Form and Manner of Notice (Dkt. 225). (Dkt. Nos. 305, 305-1.)

8  
9

10 **IT IS SO ORDERED.**

11

12 Dated:

---

The Honorable Cormac J. Carney  
United States District Judge

13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28