

1 RAFEY S. BALABANIAN (Bar No. 315962)  
 rbalabanian@edelson.com  
 2 TODD LOGAN (Bar No. 305912)  
 tlogan@edelson.com  
 3 BRANDT SILVER-KORN (Bar No. 323530)  
 bsilverkorn@edelson.com  
 4 **EDELSON PC**  
 150 California Street, 18th Floor  
 5 San Francisco, California 94111  
 Tel: 415.212.9300  
 6 Fax: 415.373.9435

7 *Attorneys for Plaintiffs*

8 Teresa H. Michaud (Bar No. 296329)  
 teresa.michaud@bakermckenzie.com  
 9 Teresa H. Michaud (Bar No. 296329)  
 Sara Victoria M. Pitt (Bar No. 317611)  
 10 sara.pitt@bakermckenzie.com  
**BAKER & MCKENZIE LLP**  
 11 10250 Constellation Blvd., Suite 1850  
 Los Angeles, California 90067  
 12 Tel: 310.201.4728  
 Fax: 310.201.4721

13  
 14 Bradford Newman (Bar No. 178902)  
 bradford.newman@bakermckenzie.com  
 Alexander G. Davis (Bar No. 187840)  
 15 alexander.davis@bakermckenzie.com  
**BAKER & MCKENZIE LLP**  
 16 600 Hansen Way  
 Palo Alto, CA 94304  
 17 Tel: 650.856.2400  
 Fax: 650.856.9299

18 *Attorneys for Defendant*

19  
 20 **UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA**

21 JENNIFER ANDREWS and JOHN SARLEY,  
 22 individually and on behalf of all others  
 23 similarly situated,

24 *Plaintiffs,*

25 v.

26 GOOGLE LLC, a Delaware limited liability  
 company,

27 *Defendant.*

Case No. 5:21-cv-2100-EJD

28 **STIPULATION AND ~~PROPOSED~~  
 ORDER TO RELATE THIS ACTION  
 TO 5:21-MD-3001-EJD**

Judge: Hon. Edward J. Davila  
 Room: Courtroom 4

Complaint Filed: March 25, 2021

1 **STIPULATION TO RELATE THIS ACTION TO MDL 3001**

2 Plaintiffs Jennifer Andrews and John Sarley (“Plaintiffs”) and Defendant Google LLC  
3 (“Defendant”) (together, the “Parties”), pursuant to Civil Local Rule 7-12 of the United States  
4 District Court for the Northern District of California, submit this stipulated request that the Court  
5 transfer and relate this Action to *In re Google Play Store Simulated Casino-Style Games Litig.*,  
6 Case No. 5:21-md-3001-EJD (N.D. Cal.) and in support state as follows:

7 **RECITALS**

8 WHEREAS, on March 29, 2021, Plaintiffs Maria Valencia-Torres, Edgar Smith, Michael  
9 Brown, and Erica Montoya filed a Motion for Transfer of Actions Pursuant to 28 U.S.C. § 1407  
10 for Centralized Pretrial Proceedings with the Judicial Panel on Multidistrict Litigation (“Panel”)   
11 seeking to centralize four actions in coordinated pretrial proceedings known as MDL 3001, *In re:*  
12 *Google Play Store Simulated Casino-Style Games Litigation* (“Google MDL”), and to transfer  
13 them to the United States District Court for the Northern District of California (*see* MDL 3001,  
14 ECF No. 1); and

15 WHEREAS, on June 3, 2021, the Panel entered a Transfer Order and transferred two of  
16 the four actions that were the subject of the MDL Petition (the other two having been voluntarily  
17 dismissed without prejudice), but pending outside of the Northern District of California, to this  
18 Court for coordinated or consolidated pretrial proceedings (*see* MDL 3001, ECF No. 37); and

19 WHEREAS, the Panel found that the actions, including the instant Action, “involve  
20 common questions of fact” and specifically that all “[t]hese putative class actions present  
21 common factual questions arising from the allegation that Google, through the Google Play  
22 Store, promotes, facilitates, and profits from simulated casino-style games that involve gambling  
23 in violation of state laws,” *id.* at 2; and

24 WHEREAS, the Panel also noted that this Action is a related, potential tag-along action,  
25 *id.* at 1; and

26 WHEREAS pursuant to Judicial Panel on Multidistrict Litigation Rule 7.2(a), when a  
27 potential tag-along (related) action is pending in the district in which the MDL is assigned, the  
28

1 Panel will not take action and instead, the parties “should request assignment of such actions to  
2 the Section 1407 transferee judge in accordance with applicable local rules,” JPML Rule 7.2(a);

3 **NOW, THEREFORE**, pursuant to JPML Rule 7.2(a) and Civil Local Rule 7-12, the  
4 Parties respectfully stipulate and request that this Action be transferred to join the related cases  
5 in Case No. 5:21-md-3001-EJD in light of the JPML Transfer Order and the Panel’s findings  
6 stated therein.

7  
8 Dated: July 1, 2021

**EDELSON PC**

9 By: /s/ Todd Logan  
10 RAFEY S. BALABANIAN  
11 TODD LOGAN  
12 BRANDT SILVER-KORN  
Attorneys for Plaintiffs

13 Dated: July 1, 2021

**GOOGLE LLC**

14 By: /s/ Teresa H. Michaud  
15 TERESA H. MICHAUD  
16 SARA VICTORIA M. PITT  
17 BRADFORD NEWMAN  
18 ALEXANDER G. DAVIS  
Attorneys for Defendant

19  
20 **ATTESTATION**

21 Pursuant to Local Rule 5-1(i)(3) of the Northern District of California, I hereby certify  
22 that the content of this document is acceptable to Teresa H. Michaud, counsel for Defendant, and  
23 that I have obtained Teresa H. Michaud’s authorization to affix their electronic signature to this  
24 document.

25  
26 Dated: July 1, 2021

27 By: /s/ Todd Logan  
Todd Logan  
Attorney for Plaintiff


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

~~PROPOSED~~ ORDER

PURSUANT TO STIPULATION, the Court relates and transfers this case to the following: *In re Google Play Store Simulated Casino-Style Games Litig.*, Case No. 5:21-md-3001-EJD (N.D. Cal.). **The Clerk of the Court shall close the case.**

IT IS SO ORDERED.

Dated: July 8, 2021

  
EDWARD J. DAVILA  
UNITED STATES DISTRICT JUDGE