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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION**

In re GOOGLE REFERRER HEADER PRIVACY LITIGATION

Case No. 5:10-cv-04809-EJD  
Assigned to Hon. Edward J. Davila

**POST-DISTRIBUTION ACCOUNTING**

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This Document Relates To: All Actions

I, Patrick M. Passarella, declare as follows:

1. I am a Senior Director of Kroll Settlement Administration LLC (“Kroll”),<sup>1</sup> the Settlement Administrator appointed in the above-captioned case, whose principal office is located at 2000 Market Street, Suite 2700, Philadelphia, Pennsylvania 19103. I am over 21 years of age and am authorized to make this declaration on behalf of Kroll and myself. The following statements are based on my personal knowledge and information provided by other experienced Kroll employees working under my general supervision. This declaration is submitted to provide the Court with an accounting of the distribution of the Qualified Settlement Fund (“QSF”) pursuant to the Settlement Agreement.

2. On October 16, 2023, the Court entered its *Order Granting Motion for Final Approval of Class Action Settlement; Granting Motions for Attorneys’ Fees, Costs, and Service Awards; Judgment*, in which the Court: (a) found that the terms of the settlement should be approved and implemented, (b) awarded Class Counsel \$5,750,000 in attorneys’ fees and \$43,634.69 in litigation costs, (c) granted an Incentive Award of \$5,000 to each of the three Class

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<sup>1</sup> Capitalized terms used but not defined herein shall have the meanings ascribed in the Settlement Agreement and Release (the “Settlement Agreement”) entered into in this Action.

1 Representatives, and (d) awarded counsel to the “Former Objectors” counsel \$793,500 in  
2 attorneys’ fees.

3 3. As of November 4, 2024, Kroll has received 2,564,698 timely Claims and 130 late  
4 Claims. Of the 2,564,828 Claims received, 1,906,343 Claims have been determined to be valid  
5 and 658,485 Claims were rejected.

6 4. Beginning on December 21, 2023, Kroll sent rejection notices to 334,095 claimants  
7 whose Claims were rejected.<sup>2</sup> As agreed to by counsel for the Parties, 324,362 Claims with indicia  
8 of fraud were rejected outright without further action.

9 5. Pursuant to Section 3.11 of the Settlement Agreement, beginning on January 16,  
10 2024, Kroll issued 1,809,418 electronic payments and 96,925 distribution check payments to  
11 1,906,343 valid Claimants (the “First Distribution”). A copy of the payment letter is attached  
12 hereto as **Exhibit A**.

13 6. Pursuant to Section 3.12 of the Settlement Agreement and as directed by counsel for  
14 the Parties, beginning on July 2, 2024, Kroll issued 1,780,285 electronic payments and 70,378  
15 distribution check payments to 1,850,663 valid Claimants whose First Distribution payment  
16 cleared (the “Second Distribution”). A copy of the payment letter is attached as **Exhibit B**.

17 7. Kroll has calculated the payment amount for each eligible Claimant following the  
18 allocation guidelines in Section 3.11 of the Settlement Agreement.

19 8. On October 21, 2024, the last electronic payment from the Second Distribution was  
20 returned as “failed”, and no further distribution payments were outstanding.

21 9. Following is a post-distribution and accounting summary.

Total Class Members	193,000,000
Types of Notice	Media publication and online advertising
Requests for Exclusion filed	2,530
Requests for Exclusion as a percent of the Class	0.001%
Objections filed	2

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28 <sup>2</sup> An additional twenty-seven (27) rejected Claims either did not contain contact information or  
were received after rejection notices were sent and therefore did not receive rejection notices.

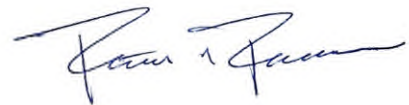
1	Objections as a percent of the Settlement Class	0.000001%
2	Claim Forms submitted	2,564,828
3	Claims as a percent of the Settlement Class	1.3%
4	Qualified Settlement Fund (“QSF”)	\$23,000,000
5	Settlement Administrator costs	\$1,933,424.32
6	Class Counsel and Former Objectors’ counsel attorneys’ fees and costs	\$6,587,134.69
7	Class Counsel and Former Objectors’ counsel attorneys’ fees as a % of the QSF	28.45%
8	Payment/distribution type	Checks, ACH, Venmo, Zelle, PayPal, E-Mastercard
9	First Distribution: Number of payments	1,906,343
10	First Distribution: Total distributed	\$14,672,530.68
11	First Distribution: Average payment	\$7.70
12	First Distribution: Median payment	\$7.70
13	First Distribution: Smallest payment	\$7.69 <sup>3</sup>
14	First Distribution: Largest payment	\$7.70
15	First Distribution: Checks/payments not cleared	55,709
16	First Distribution: Amount of checks/payments not cleared	\$428,848.63
17	Percentage of success for Check payments (First Distribution)	72.2%
18	Percentage of success for E-payments (First Distribution)	98.4%
19	Second Distribution: Number of payments	1,850,663
20	Second Distribution: Total distributed	\$210,554.16
21	Second Distribution: Average payment	\$0.11
22	Second Distribution: Median payment	\$0.11
23	Second Distribution: Smallest payment	\$0.11
24	Second Distribution: Largest payment	\$0.12
25	Second Distribution: Checks/payments not cleared	43,205

<sup>3</sup> Pursuant to section 3.11 of the Settlement Agreement, after calculating payments in equal amounts, the remainder amounting to less than one cent per Claimant was allocated in the order that claims were received until the Settlement Fund was exhausted. Thus, Settlement payments were in the amount of either \$7.69 or \$7.70.

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Second Distribution: Amount of checks/payments not cleared	\$5,051.85
Percentage of success for Check payments (Second Distribution)	49.5%
Percentage of success for E-payments (Second Distribution)	99.6%
World Privacy <i>cy pres</i> Residual Settlement Payment	\$17,870.82

I declare under penalty of perjury under the laws of the United States that the above is true and correct to the best of my knowledge and that this declaration was executed on November 4, 2024, in Delaware, Ohio.



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PATRICK M. PASSARELLA

# Exhibit A

*In re Google Referrer Header Privacy Settlement*  
c/o Kroll Settlement Administration LLC  
P.O. Box 225391  
New York, NY 10150-5391

Class Member ID: [REDACTED]  
Check Number: [REDACTED]  
Check Amount: [REDACTED]  
Check Date: January 26, 2024

[REDACTED]

[REDACTED]

Dear [REDACTED]:

The attached check represents your settlement payment in connection with *In Re Google Referrer Header Privacy Litigation*, No. 5:10-cv-04809-EJD (N.D. Cal). This payment is tendered to you as a Settling Class Member in consideration for your release from liability of Defendant and other Releasees as set forth in the Settlement Agreement.

Please be advised that you have until **April 25, 2024**, to cash and/or deposit this check. Thereafter, your check shall be deemed void, and you will not be entitled to receive any payment under this settlement.

You should consult with your tax advisor to determine the tax consequences, if any, of this settlement payment to you.

All inquiries and address changes should be in writing, reference your check number, and be forwarded to the Settlement Administrator at: *In re Google Referrer Header Privacy Settlement*, c/o Kroll Settlement Administration LLC, P.O. Box 225391, New York, NY 10150-5391. You may also contact the Settlement Administrator by calling the toll-free telephone number: (833) 512-2306 or visiting [www.RefererHeaderSettlement.com](http://www.RefererHeaderSettlement.com).

Thank you,  
Kroll Settlement Administration LLC  
Settlement Administrator

# Exhibit B

*In re Google Referrer Header Privacy Settlement*  
c/o Kroll Settlement Administration LLC  
P.O. Box 225391  
New York, NY 10150-5391

Reference Number: [REDACTED]  
Check Number: [REDACTED]  
Check Amount: [REDACTED]  
Check Date: <<date>>

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Dear [REDACTED]:

The attached check represents your residual settlement payment in connection with *In Re Google Referrer Header Privacy Litigation*, No5:10-cv-04809-EJD (N.D. Cal). This payment is tendered to you as a Settlement Class Member, supplements your previous payment of \$<<initial amount>>, and is final and conclusive.

Please be advised that you have until **September 30, 2024**, to cash and/or deposit the check. Thereafter, your check shall be deemed void, and you will not be entitled to receive any payment under this Settlement.

You should consult with your tax advisor to determine the tax consequences, if any, of this residual Settlement payment to you.

All inquiries and address changes should be in writing, reference your reference number or check number, and be forwarded to the Settlement Administrator at: *In re Google Referrer Header Privacy Settlement*, c/o Kroll Settlement Administration LLC, P.O. Box 225391, New York, NY 10150-5391. You may also contact the Settlement Administrator by visiting the "Contact Us" page at [www.RefererHeaderSettlement.com](http://www.RefererHeaderSettlement.com).

Thank you,

Kroll Settlement Administration LLC

Settlement Administrator