

1 JEROME C. ROTH (State Bar No. 159483)
 jerome.roth@mto.com
 2 ROSEMARIE T. RING (State Bar No. 220769)
 rose.ring@mto.com
 3 JONATHAN H. BLAVIN (State Bar No. 230269)
 jonathan.blavin@mto.com
 4 ADAM I. KAPLAN (State Bar No. 268182)
 william.edelman@mto.com
 5 MUNGER, TOLLES & OLSON LLP
 560 Mission Street
 6 Twenty-Seventh Floor
 San Francisco, California 94105-2907
 7 Telephone: (415) 512-4000
 Facsimile: (415) 512-4077

8 *Attorneys for Defendant*
 9 LINKEDIN CORPORATION

10 UNITED STATES DISTRICT COURT
 11 NORTHERN DISTRICT OF CALIFORNIA
 12 SAN JOSE DIVISION

13 PAUL PERKINS, PENNIE SEMPELL, ANN
 14 BRANDWEIN, ERIN EGGERS, CLARE
 CONNAUGHTON, JAKE KUSHNER,
 15 NATALIE RICHSTONE, NICOLE CROSBY,
 and LESLIE WALL, individually and on
 16 behalf of all others similarly situated,

17 Plaintiffs,
 18 vs.
 19 LINKEDIN CORPORATION,
 20 Defendant.

Case No. 13-CV-04303-LHK

**DECLARATION OF ADAM WEINSTEIN
 IN SUPPORT OF PLAINTIFFS' MOTION
 FOR FINAL APPROVAL OF THE CLASS
 ACTION SETTLEMENT**

Judge: Hon. Lucy H. Koh
 Date: February 11, 2016
 Time: 1:30 p.m.
 Courtroom: 8

21
 22
 23
 24
 25
 26
 27
 28

DECLARATION OF ADAM WEINSTEIN

I, Adam Weinstein, declare as follows:

1. I am a Business Development Manager at LinkedIn. Previously, I was a Business Operations Manager at LinkedIn. In my Business Operations Manager role, I was responsible for conducting analyses using LinkedIn’s datasets relating to the areas of Products, Operations and Sales. In my current role, I support partnerships that further LinkedIn’s platform.

2. I submit this declaration in support of Plaintiffs’ Motion for Final Approval of the Class Action Settlement in *Perkins Inc. v. LinkedIn Corp.*, Civ. No. 5:13-cv-04303-LHK to provide information regarding (1) the creation of the list of Persons in the Settlement Class (“Settlement Class List”) and (2) the validation of Claims. Except where indicated below, I have personal knowledge of the facts stated herein. If called upon as a witness to testify as to the contents of this declaration, I could and would competently do so.

Creation of the Settlement Class List

3. I was responsible for analyzing LinkedIn’s datasets to identify persons falling within the definition of the Settlement Class and to create the Settlement Class List.

4. To identify Settlement Class Members, I looked for persons who are US members and who used Add Connections to (1) import information from external email accounts (“Import”), and (2) subsequently send invitation emails to at least one guest (i.e., a person who is not a member of LinkedIn) between September 17, 2011 and October 31, 2014.

5. In the normal course of its business, LinkedIn logs an occurrence each time Add Connections is used to import information from an external email account. These logs are maintained in LinkedIn’s internal data warehouse. For (1) as described in paragraph 4 above, I identified (and included in a dataset) all persons who are US members for which LinkedIn has logged at least one Import.

6. In the normal course of its business, LinkedIn logs an occurrence each time Add Connections is used to send an invitation email. These logs are maintained in LinkedIn’s internal data warehouse.

7. Once an invitation email is sent, if it is not accepted within a defined period of time

1 (typically 3 days, dependent on the day of the week), a reminder email is sent. LinkedIn does not
2 log and relate back to the invitation email instances in which a reminder email is sent to a guest.
3 Thus, in an effort to be conservative, I assumed that all invitation emails meeting the above criteria
4 were followed by a reminder email. It was guaranteed that the number of persons sending
5 invitations would exceed the number of persons sending reminders, since reminders are only sent
6 if an invitation is not accepted.

7 8. Thus, for (2) as described in paragraph 4 above, I filtered the logged invitation
8 emails to identify (and include in a dataset) all persons who are US members who satisfy (1) and
9 sent invitation emails to guests.

10 9. In September 2015, I compiled the Settlement Class List based on the analyses
11 described above.

12 **Validation of Claims**

13 10. For each Person on the Settlement Class List, I generated a unique, randomly
14 generated claim code ("Claim Code") to be included in the Email Notice and used by Settlement
15 Class Members to file Claims under the Settlement. Some of the Claims that were filed included
16 the Claim Code ("Known Claims") and some did not ("Unknown Claims").

17 11. In November and December 2015, the Settlement Administrator provided LinkedIn
18 with datasets of Claims to be validated.

19 12. For Known Claims that LinkedIn received from the Settlement Administrator, I
20 validated them by confirming that the Claim Codes on the Claim Forms matched the Claim Codes
21 generated for the Settlement Class List. 377,104 Known Claims were confirmed as valid.

22 13. For Unknown Claims that LinkedIn received from the Settlement Administrator, I
23 validated them through a multi-step process. First, I determined whether the email address
24 provided in the Claim Form was associated with a Person on the Settlement Class List. Second, I
25 confirmed that those claimants had not also submitted a duplicate Known Claim. After accounting
26 for 1,011 duplicate claims, 65,943 Unknown Claims were confirmed as valid.

27 14. LinkedIn sent datasets of all Unknown Claims identified as invalid to the
28 Settlement Administrator, which I understand were used to send emails to those claimants

1 instructing and allowing them to attempt to cure and resubmit those invalid Unknown Claims.

2 I declare under penalty of perjury that the foregoing is true and correct. Executed this 14th
3 day of January 2016 at Mountain View, California.

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


ADAM WEINSTEIN