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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

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

Plaintiffs,

v.

LINKEDIN CORPORATION,

Defendant.

Case No. 13-CV-04303-LHK

**SUPPLEMENTAL DECLARATION
OF KENNETH JUE, ON BEHALF OF
SETTLEMENT ADMINISTRATOR
GILARDI & CO. LLC**

HEARING

Judge: Hon. Lucy H. Koh

Date: February 11, 2016

Time: 1:30 p.m.

Location: Courtroom 8 – 4th Floor

I, Kenneth Jue, hereby declare:

1. I am employed as a senior project manager by Gilardi & Co., a KCC Company (“Gilardi”), located at 3301 Kerner Blvd., San Rafael, California. Gilardi was appointed by the Court to serve as the Settlement Administrator in this case, and as the senior project manager, I, along with Daniel Burke, Executive Vice President, Consumer, at Gilardi, and Tricia Solorzano, a Director assigned to this litigation at Gilardi, oversaw the administrative services provided. I have personal knowledge of the facts set forth herein and, if called as a witness, could and would

1 testify competently thereto. I am submitting this supplemental declaration to provide additional
2 information regarding the number of approved claims submitted.

3 2. In total, 377,104 claims were submitted through the settlement website using a
4 Claim ID. 188,738 claimants submitted claims through the settlement website without using a
5 Claim ID. Claimants who did not provide a Claim ID to access the Claim Form were asked to
6 provide the same information as those Claimants who did provide a Claim ID. For completeness,
7 I set out below data that was also addressed and covered in the Declaration of Daniel Burke, filed
8 January 14, 2016, Docket No. 126-4.

9 3. 1,974 Claimants submitted claims by mail, email, or fax. Of those, 1,420 were
10 submitted with a Claim ID, and 554 were submitted without a Claim ID. The 1,420 paper claims
11 were accepted by Gilardi, and later added to the de-duplication process described in detail further
12 below at paragraph 11.

13 4. From November 15 to December 15, 2015, Gilardi compiled the e-mail addresses
14 that Claimants who submitted claim forms without a Claim ID represented were the e-mail
15 addresses they had used to open an account with LinkedIn. In total, after a partial analysis for
16 duplication, but prior to full analysis for duplication, 182,101 individual Claimants provided such
17 e-mail addresses, either through the website or through paper claims. A total of 7,191 duplicates
18 were eliminated in this preliminary process (slightly more than the number originally indicated in
19 Mr. Burke's declaration).

20 5. On December 15, 2015, Gilardi submitted the 182,101 e-mail addresses to
21 LinkedIn, which had responsibility under the Settlement Agreement for verifying, based upon
22 LinkedIn's records, whether such e-mail addresses belonged to accounts of members of the Class.
23 Gilardi also sent LinkedIn 377,104 e-mail addresses of claims submitted by Claimants who
24 submitted claim forms with a Claim ID so that LinkedIn could cross check the 182,101 e-mail
25 addresses to prevent multiple submissions by the same Class Member.

26 6. On December 21, 2015 and January 4, 2016, LinkedIn informed Gilardi that, of
27 the 182,101 claims submitted without a Claim ID, 65,943 had been verified as belonging to
28 members of the Class, and the remainder were either duplicates or did not appear to belong to

1 members of the Class, and thus represented potentially invalid claims. Ultimately, LinkedIn
2 identified 115,147 claims submitted without a Claim ID as potentially invalid, and identified
3 1,011 claims submitted without a Claim ID as duplicative of claims that were submitted with a
4 claim ID.

5 7. Gilardi processed the 115,147 claims identified by LinkedIn as potentially invalid
6 through a service that identifies invalid emails. This process is implemented to reduce the chance
7 that email providers will block emails sent to their customers as “spam,” because the greater the
8 number of emails that are bounced, the more likely that email providers will consider the sender
9 to be sending out spam. This process also reduces the chance that an email will be sent to a
10 “honeypot” address, which is an email address used to identify spammers when an email is
11 received and the sender is blacklisted from their emails reaching the intended email box.
12 Through this process, Gilardi eliminated 3,125 e-mail addresses as invalid e-mail addresses,
13 leaving 112,022 valid e-mail addresses.

14 8. On January 6, 2016 after 5:00 p.m. Pacific Time, Gilardi sent an e-mail to the
15 112,022 claimants whose claims had been identified as potentially invalid and who had entered a
16 valid contact e-mail address, substantially in the form attached as 1 to the Burke Declaration. The
17 e-mail provided each recipient a unique Deficiency ID and a link to a website,
18 https://gilardigateway.com/addconnectionssettlement_DEF/Claimant, which Gilardi established
19 on January 4, 2015 for the purpose of providing a second opportunity for the Claimants to
20 demonstrate their membership in the class.

21 9. Specifically, the website
22 https://gilardigateway.com/addconnectionssettlement_DEF/Claimant provided an opportunity for
23 claimants with a Deficiency ID to correct the e-mail address associated with their claim, and to
24 accurately report the e-mail address they had used when signing up for LinkedIn. A screen shot
25 of the webpage where Claimants could re-submit the email address associated with their LinkedIn
26 account was attached as Exhibit 2 to the Burke Declaration.

27 10. The deadline for claimants to provide that information was set as January 20,
28 2016. In consultation with the Parties, Gilardi accepted responses until January 27, 2016. 66

1 responses were submitted after the January 20 deadline but nevertheless counted as timely. On
2 January 28, 2016, Gilardi sent to LinkedIn counsel 4,697 deficiency responses submitted to
3 Gilardi. LinkedIn determined that 183 of the submissions cured their deficiency and were
4 identified as eligible Class Members. The remaining 4,514 submissions were determined to be
5 ineligible or duplicate submissions by LinkedIn.

6 11. Under paragraph 1.4 of the Amended Settlement Agreement, “Each Settlement
7 Class Member may submit only one Claim Form, regardless of how many LinkedIn accounts they
8 may have, and therefore is limited to only one Approved Claim.” After compiling the final list of
9 potential eligible submissions, Gilardi ran multiple queries to identify duplicate claim
10 submissions. In addition to identifying and removing claims that were exact duplicates, where
11 name, address, and email address were exact matches, Gilardi also reviewed claims using other
12 criteria, including: 1) records that matched based on first three characters of the first name, first
13 five characters of the last name, and zip, 2) multiple claims submitted with the same email
14 address, and 3) claims submitted from the same IP address. Claims identified in the above process
15 were manually reviewed to verify whether an individual submitted more than one claim. Gilardi
16 identified 3,489 additional duplicate submissions. After removing the additional 3,489 duplicate
17 submissions, the final number of valid claim submissions is 441,161.

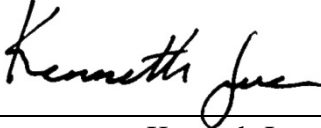
18 12. This 441,161 is composed of (1) the 377,104 claims submitted through the
19 settlement website with a claim ID, (2) 1,420 paper claims, (3) 65,943 claims submitted (either
20 through the website or paper) without a claim ID but identified by LinkedIn as Class Members
21 and (4) 183 successful deficiency cures, minus (5) 3,489 duplicates found in the final de-
22 duplication process. During the analysis process, Gilardi eliminated 10,680 duplicates, 7,191
23 exact duplicates eliminated at the outset, and 3,489 found after final de-duplication. LinkedIn
24 eliminated an additional 1,011 duplicates on their end. A table summarizing the data described
25 above and in the Burke Declaration is attached hereto as **Exhibit 1**.

26 13. In Gilardi’s analysis of the objections to this settlement, Gilardi searched its
27 records of submitted claims to find identifying information on each of the 86 objectors to submit
28 to LinkedIn for verification. For some objectors, Gilardi was able to successfully locate email

1 addresses and/or Claim IDs that had not been submitted along with the objections. Regarding the
2 objection submitted by Gary Gill, the LinkedIn Claim ID provided by him was determined to be
3 an invalid Claim ID by LinkedIn. Gilardi ran “wildcard” queries of the Claim ID against the list
4 of known valid Claim IDs and came to the conclusion that Mr. Gill transposed two letters of the
5 15 letter Claim ID and that the rest of the Claim ID matched to a valid Claim ID. Therefore, Mr.
6 Gill should be considered a Class Member.

7 14. Gilardi estimates its costs at approximately \$716,750.59. If Gilardi had sent the
8 original notice emails, rather than LinkedIn, Gilardi costs would have been approximately
9 \$807,650.59, or \$90,900 in additional costs. If Gilardi had been primarily responsible for
10 authenticating claims, an additional \$3,000 in costs would have been incurred.

11
12 I declare under penalty of perjury that the foregoing is true and correct and that this
13 Declaration was signed in San Rafael, CA on February 4, 2016.

14
15 

16 _____
Kenneth Jue

EXHIBIT 1

Perkins et al v. LinkedIn Corp.—Summary of Settlement Claims Validation Process

Claim Submissions	with Claim ID	without Claim ID	Subtotal
By Website	377,104	188,738	565,842
By Paper or E-mail	1,420	554	1,974
Initial De-Duplication (exact matches)		7,191	
Subtotal	378,524	182,101	
Total Claims Before Initial De-Duplication	567,816	Burke Dec para. 19	
Total Claims After Initial De-Duplication	560,625		
Website Claims with Claim-ID Sent to LinkedIn	377,104	Burke Dec. para. 21	
Paper Claims with Claim IDs - Kept	1,420	Jue Dec. para. 3	
Processing of Claims Without Claim ID			
Non-Claim ID Claims Sent to LinkedIn	182,101	Burke Dec. paras 20-21, Jue Dec. paras. 4-5	
LinkedIn verified as Class Members	65,943	Burke Dec. para. 22	
LinkedIn Identified as Duplicates	1,011	Burke Dec. para. 22	
LinkedIn Identified as Invalid	115,147	Burke Dec. para. 22, Jue Dec. para. 7	
Gilardi identifies as false e-mail addresses	3,125	Burke Dec. para. 23, Jue Dec. para. 7	
Notices of Deficiency Sent	112,022	Burke Dec. para. 24, Jue Dec. paras. 8-9	
Deficiency responses	4,697	Jue Dec. para. 10	
Successful cures	183	Jue Dec. para. 10	
Final Processing			
Subtotal of Valid Claims Before Final De-Duplication	444,650	Jue Dec. para. 11	
Duplicates found after final de-duplication	3,489	Jue Dec. para. 11	
Total Valid Claims	441,161	Jue Dec. para. 11	