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

IN RE PAYPAL HONEY BROWSER
EXTENSION LITIGATION

Case No. 24-cv-09470-BLF

**ORDER APPOINTING PLAINTIFFS'
INTERIM LEADERSHIP AND
EXECUTIVE COMMITTEE
MEMBERS**

[Re: ECF 79, 80, 81, 82, 83, 84, 85, 86, 87,
88, 89, 91, 92, 93, 130]

Before the Court are Plaintiffs’ 14 motions for appointment of interim class counsel. *See* ECF 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 91, 92, 93. On March 28, 2025, the Court held a hearing on the motions. ECF 128. At the hearing, the Court GRANTED the motion for interim leadership appointment by Plaintiffs Eli Silva, Ashley Gardiner, Jose Moran, and GamersNexus, LLC. ECF 80. The Court also requested Plaintiffs to identify individuals to be appointed to the leadership and the executive committee. On March 24, 2025, Plaintiffs filed a notice, identifying the individuals to be appointed to the leadership and the executive committee. ECF 130.

Federal Rule of Civil Procedure 23(g)(3) permits district courts “to designate an interim counsel to act on behalf of the putative class before determining whether to move for class certification.” Fed. R. Civ. P. 26(g)(3). “Courts considering the appointment of interim counsel weigh the factors outlined in Rule 23(g)(1).” *Olosoni v. HRB Tax Group, Inc.*, No. 19-cv-03610-SK, 2019 WL 7576680, at *5 (N.D. Cal. Nov. 5, 2019). In appointing interim class counsel, courts consider: “(i) the work counsel has done in identifying or investigating potential claims in the action; (ii) counsel's experience in handling class actions, other complex litigation, and the types of claims asserted in the action; (iii) counsel's knowledge of the applicable law; and (iv) the resources that counsel will commit to representing the class.” Fed. R. Civ. P. 23(g)(1)(A). A district court may

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1 also consider “any other matter pertinent to counsel's ability to fairly and adequately represent the
2 interests of the class.” Fed. R. Civ. P. 23(g)(1)(B). “The appointment of interim class counsel is
3 discretionary and is particularly suited to complex actions.” *In re Nest Labs Litig.*, No. 14-
4 CV01363-BLF, 2014 WL 12878556, at *1 (N.D. Cal. Aug.18, 2014).

5 The Court has reviewed the impressive array of applications and supporting firm resumes
6 for plaintiffs’ interim leadership positions. Most notably, the Court is persuaded that the leadership
7 team proposed by the Silva plaintiffs is exceptionally well qualified based on its broad and deep
8 experience in numerous other significant class action cases, its demonstrated depth of subject matter
9 knowledge and the near unanimous support from the many other excellent law firms representing
10 plaintiffs in these cases. In appointing this interim leadership committee, the Court has confidence
11 that these attorneys will work in the best interests of the class, maintain efficiency and prosecute the
12 case vigorously. The Court welcomes co-lead counsel’s commitment to work cooperatively with
13 the other attorneys in this case.

14 The Court hereby APPOINTS the following individuals to Plaintiffs’ interim leadership and
15 executive committee:

16 **Co-leads**

- 17 • Dena C. Sharp, Girard Sharp LLP
- 18 • Nanci E. Nishimura, Cotchett, Pitre & McCarthy, LLP
- 19 • Jason L. Lichtman, Lieff Cabraser Heimann & Bernstein, LLP

20 **Executive Committee**

21 **Defensive Discovery**

- 22 • Alexandra (Alex) M. Honeycutt (Co-Chair), Milberg Coleman Bryson Phillips
23 Grossman, PLLC
- 24 • Ashley M. Crooks (Co-Chair), Hausfeld LLP

25 **Offensive Discovery**

- 26 • David R. Buchanan (Chair), Seeger Weiss LLP
- 27 • Sophia Rios (PayPal Lead), Berger Montague PC
- 28 • Karina G. Puttieva (Third Party Lead), Cohen Milstein Sellers & Toll PLLC

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Expert Discovery

- Barrett J. Vahle (Co-Chair), Stueve Siegel Hanson LLP
- Chris Springer (Co-Chair), Keller Rohrback L.L.P.

Law and Briefing

- Daniel R. Schwartz (Chair), DiCello Levitt LLP

Creator Class Liaison

- Jarrett Lee Ellzey (Chair), Ellzey Kherkher Sanford Montgomery, LLP

Settlement Liaison

- Christopher A. Seeger, Seeger Weiss LLP (with Co-Lead Counsel)

The appointment as Interim Co-Leads or members to the leadership and executive committee is a personal appointment to be supported by each attorney’s law firm. Unless approved by the Court, the appointments cannot be substituted by other attorneys, including members of the appointee’s law firm. Additionally, should an appointed attorney change law firms, counsel SHALL notify the Court and provide information on how counsel will continue to fulfill their responsibilities. The appointment to the leadership and executive committee is for one year from the date of this Order. Appointees may apply to be reappointed, by submitting an application on or before March 26, 2026. The appointments to the leadership and executive committee may be revoked or amended at any time by Court order. As this case develops, the Court may revisit these appointments and alter the makeup of leadership and executive committee as needed.

As previously ordered, plaintiffs SHALL file a Consolidated Class Action Complaint **on or before May 5, 2025**. See ECF 49.

IT IS SO ORDERED.

Dated: March 25, 2025



 BETH LABSON FREEMAN
 United States District Judge