

1 MORGAN & MORGAN  
COMPLEX LITIGATION GROUP  
2 John A. Yanchunis (Admitted *Pro Hac Vice*)  
201 N. Franklin Street, 7th Floor  
3 Tampa, FL 33602  
4 Telephone: 813/223-5505  
813/223-5402 (fax)  
5 jyanchunis@ForThePeople.com

MILBERG TADLER PHILLIPS  
GROSSMAN LLP  
Ariana J. Tadler (Admitted *Pro Hac Vice*)  
One Pennsylvania Plaza, 19th Floor  
New York, NY 10119  
Telephone: 212/594-5300  
212/868-1229 (fax)  
atadler@milberg.com

6 ROBBINS GELLER RUDMAN  
& DOWD LLP  
7 Stuart A. Davidson (Admitted *Pro Hac Vice*)  
120 East Palmetto Park Road, Suite 500  
8 Boca Raton, FL 33432  
9 Telephone: 561/750-3000  
561/750-3364 (fax)  
10 s davidson@rgrdlaw.com

LOCKRIDGE GRINDAL NAUEN P.L.L.P.  
Karen Hanson Riebel (Admitted *Pro Hac Vice*)  
100 Washington Ave. South, Suite 2200  
Minneapolis, MN 55401  
Telephone: 612/339-6900  
612/339-0981 (fax)  
khriebel@locklaw.com

11 CASEY GERRY SCHENK FRANCAVILLA  
BLATT & PENFIELD LLP  
12 Gayle M. Blatt (122048)  
110 Laurel Street  
13 San Diego, CA 92101  
14 Telephone: 619/238-1811  
619/544-9232 (fax)  
15 gmb@cglaw.com

ROBINSON CALCAGNIE, INC.  
Daniel S. Robinson (244245)  
19 Corporate Plaza Dr.  
Newport Beach, CA 92660  
Telephone: 949/720-1288  
949/720-1292  
drobinson@robinsonfirm.com

16 *Attorneys for Plaintiffs and Proposed Class Counsel*

17  
18 **UNITED STATES DISTRICT COURT**

19 **NORTHERN DISTRICT OF CALIFORNIA - SAN JOSE DIVISION**

20 IN RE: YAHOO! INC. CUSTOMER DATA )  
SECURITY BREACH LITIGATION )

No. 16-md-02752-LHK

21 ) **PLAINTIFFS' NOTICE OF MOTION**  
22 ) **AND MOTION FOR PRELIMINARY**  
23 ) **APPROVAL OF CLASS ACTION**  
24 ) **SETTLEMENT**

25 ) Date: November 29, 2018

26 ) Time: 1:30 p.m.

27 ) Courtroom: 8, 4th Floor

28 ) Judge: Hon. Lucy H. Koh

1 PLEASE TAKE NOTICE THAT Plaintiffs move the Court to grant Plaintiffs' Motion for  
2 Preliminary Approval of Class Action Settlement. Hearing on this motion will be held on  
3 November 29, 2018, at 1:30 p.m., in Courtroom 8, located at the Robert F. Peckham Federal  
4 Building & United States Courthouse, 280 South First Street, Fourth Floor, San Jose, California.

5 Plaintiffs bring this Motion pursuant to Federal Rule of Civil Procedure 23(e). Plaintiffs  
6 respectfully request that the Court preliminarily approve the parties' Settlement Agreement and  
7 for entry of an Order that:

- 8 • Grants class certification of the following proposed settlement class under Fed. R.  
9 Civ. P. 23(b)(2) and (b)(3):

10 All U.S. and Israel residents and small businesses with Yahoo  
11 accounts at any time during the period of January 1, 2012 through  
12 December 31, 2016, inclusive; provided, however, that the  
13 following are excluded from the Settlement Class: (i) Defendants,  
14 (ii) any entity in which Defendants have a controlling interest, (iii)  
15 Defendants' officers, directors, legal representatives, successors,  
16 subsidiaries, and assigns; (iv) any judge, justice, or judicial officer  
17 presiding over this matter and the members of their immediate  
18 families and judicial staff; and (v) any individual who timely and  
19 validly opts-out from the Settlement Class.

- 20 • Preliminarily approves the proposed settlement as fair, reasonable, and adequate;  
21 • Directs notice to be disseminated to Settlement Class Members in the form and  
22 manner proposed by the parties as set forth in the Settlement Agreement and  
23 Exhibits thereto;  
24 • Sets deadlines for class notice to be sent and deadlines for exclusions;  
25 • Appoints Heffler Claims Group to serve as the Settlement Administrator;  
26 • Appoints as Settlement Class Representatives: John Bell, Michelle Bouras, Jana  
27 Brabcova, Reid Bracken, Paul Dugas, Hashmatullah Essar, Hilary Gamache, Mali  
28

1 Granot, Kimberly Heines, Andrew J. Mortensen, Brian Neff, Jared Pastor,  
 2 Brendan Quinn, Deana Ridolfo, Matthew Ridolfo, and Yaniv Rivlin.

- 3 • Appoints as Class Counsel:
  - 4 ○ Lead Settlement Class Counsel: John Yanchunis of Morgan & Morgan
  - 5 Complex Litigation Group;
  - 6 ○ Executive Settlement Class Counsel: Ariana Tadler of Milberg Tadler
  - 7 Phillips Grossman LLP, Stuart Davidson of Robins Geller Rudman &
  - 8 Dowd LLP, Gayle Blatt of Casey Gerry Schenk Francavilla Blatt &
  - 9 Penfield LLP, and Karen Hanson Riebel of Lockridge Grindal Nauen
  - 10 PLLP; and,
  - 11 ○ Additional Settlement Class Counsel: Daniel Robinson of Robinson
  - 12 Calcagnie, Inc.; and,
- 13 • Sets a hearing date and schedule for final approval of the settlement and
- 14 consideration of Class Counsel’s motion for award of fees, costs, expenses, and
- 15 service awards.

16 Plaintiffs’ Motion is based on this Notice and Motion; the accompanying Memorandum  
 17 of Points and Authorities and all attachments and supporting exhibits thereto (including the  
 18 Declaration of John A. Yanchunis and the Settlement Agreement), and the pleadings, records,  
 19 and other papers filed in this action. The parties have agreed to the following deadlines:

20 <b>Notice Date:</b>	45 Days from the Preliminary Approval Date	
21 <b>Opt-Out and Objection Deadlines:</b>	120 Days from the Notice Date	
22 <b>Motion for Final Approval:</b>	150 Days from Notice Date	
23 <b>Motion for Service Awards, Attorneys’ Fees and Costs:</b>	21 Days before the Opt-Out and Objection Deadline	
24 <b>Claims Period:</b>	270 Days after the Preliminary Approval Order	
25 <b>Final Approval Hearing</b>		

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

DATED: October 22, 2018

MORGAN & MORGAN  
COMPLEX LITIGATION GROUP  
John A. Yanchunis

s/ John A. Yanchunis

John A. Yanchunis

201 N. Franklin Street, 7th Floor  
Tampa, FL 33602  
Telephone: 813/223-5505  
813/223-5402 (fax)

ROBBINS GELLER RUDMAN  
& DOWD LLP  
Stuart A. Davidson  
120 East Palmetto Park Road, Suite 500  
Boca Raton, FL 33432  
Telephone: 561/750-3000  
561/750-3364 (fax)

CASEY GERRY SCHENK FRANCAVILLA  
BLATT & PENFIELD LLP  
Gayle M. Blatt  
110 Laurel Street  
San Diego, CA 92101  
Telephone: 619/238-1811  
619/544-9232 (fax)

MILBERG TADLER PHILLIPS  
GROSSMAN LLP  
Ariana J. Tadler  
One Pennsylvania Plaza, 19th Floor  
New York, NY 10119  
Telephone: 212/594-5300  
212/868-1229 (fax)

LOCKRIDGE GRINDAL NAUEN P.L.L.P.  
Karen Hanson Riebel  
100 Washington Ave. South, Suite 2200  
Minneapolis, MN 55401  
Telephone: 612/339-6900  
612/339-0981 (fax)

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

ROBINSON CALCAGNIE, INC.  
Daniel S. Robinson  
19 Corporate Plaza Dr.  
Newport Beach, CA 92660  
Telephone: 949/720-1288  
949/720-1292  
drobinson@robinsonfirm.com

*Attorneys for Plaintiffs and Proposed Class  
Counsel*

1 CERTIFICATE OF SERVICE

2 I hereby certify that October 22, 2018, I authorized the electronic filing of the foregoing  
3 with the Clerk of the Court using the CM/ECF system which will send notification of such filing  
4 to the e-mail addresses denoted on the attached Electronic Mail Notice List, and I hereby certify  
5 that I caused to be mailed the foregoing document or paper via the United States Postal Service  
6 to the non-CM/ECF participants indicated on the attached Manual Notice List.

7 I certify under penalty of perjury under the laws of the United States of America that the  
8 foregoing is true and correct. Executed on October 22, 2018.

9 s/ John A. Yanchunis  
John A. Yanchunis

10 MORGAN & MORGAN  
11 COMPLEX LITIGATION GROUP  
12 201 N. Franklin Street, 7th Floor  
13 Tampa, FL 33602  
14 Telephone: 813/223-5505  
15 813/223-5402 (fax)