

Transcript of Proceedings
February 25, 2021

Hsieh
vs.
Snap, Inc.



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SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

DEPARTMENT SSC 6 HON. ELIHU M. BERLE, JUDGE

Coordination Proceeding) Case No. JCCP4960
Special Title Rule (3.550))
SNAP INC. SECURITIES CASES) Coordinated Actions:
) Hsieh, et al. v. Snap
) Inc., et al., No. BC669394
) Iuso v. Snap Inc., et al.,
) No. 17CIV03710

REPORTER'S TRANSCRIPT OF PROCEEDINGS
FEBRUARY 25, 2021

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THURSDAY, FEBRUARY 25, 2021

WITNESSES
NONE

EXHIBITS
NONE

1 CASE NUMBER: JCCP4960
2 CASE NAME: SNAP INC. SECURITIES CASES
3 LOS ANGELES, CALIFORNIA THURSDAY, FEBRUARY 25, 2021
4 DEPARTMENT SSC 6 HON. ELIHU M. BERLE
5 REPORTER: ESTRELLA HERMAN, CSR NO. 13865
6 TIME: 9:05 A.M.

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10 (The following proceedings were held in open court.)

11 THE COURT: Calling the case of the JCCP proceedings of
12 the Snap Securities cases.

13 Counsel, your appearances, please.

14 MR. BOTINI: Good morning, Your Honor. Frank Botini for
15 the plaintiffs.

16 THE COURT: Good morning.

17 MR. WALKER: Good morning, Your Honor. Jacob Walker of
18 Block & Levinton for plaintiffs.

19 THE COURT: Good morning.

20 MR. PINTAR: Good morning, Your Honor. Ted Pintar of
21 Robbins Geller for plaintiffs.

22 THE COURT: Good morning.

23 MR. RIGALI: Good morning, Your Honor. Paul Rigali of
24 Larson LLP here on behalf of the federal court plaintiffs.

25 THE COURT: Good morning.

26 MR. CLOSE: Good morning, Your Honor. Matthew Close,
27 O'Melveny & Meyers, for the underwriter defendants.

28 THE COURT: Good morning.

1 MR. SALCEDA: Good morning, Your Honor. Ignacio Salceda
2 on behalf of the Snap defendants.

3 THE COURT: Good morning.

4 THE CLERK: Mr. Jaconette, are you there?

5 Your Honor, that concludes appearances for today
6 except for the court reporter.

7 THE COURT: I have received a proposed order for the
8 appointment of Estrella Herman as court reporter pro tem. Any
9 objection?

10 Not hearing any objections, Estrella Herman is hereby
11 appointed court reporter pro tem and is authorized to report
12 remotely.

13 Good morning.

14 THE COURT REPORTER: Good morning, Your Honor.

15 THE COURT: The matter is here for a hearing on motion
16 for final approval of class action settlement. I have received
17 a declaration -- supplemental declaration of Luiggy Segura
18 regarding the dissemination of the notice. However, I am
19 concerned that the Court is not up to date and not sufficient
20 time has been given with regard to responses because of late
21 notices.

22 In review of where we are, according to the
23 declaration, since the initial mailing, which -- let me just
24 get the dates in front of me. I'm going to review where we
25 are.

26 On October 19, 2020, the administrator, JND, received
27 a class data file. On November 25, 2020, JND caused the
28 postcard notices to be mailed to 11,847 names. JND also caused

1 the summary notice to be published in Investor's -- in the
2 Investor's Business Daily on November 30, 2020, and the Wall
3 Street Journal on November 30 and PRNewswire on November 30.

4 Since the initial mailing, JND continued to
5 disseminate copies of the postcard notice and notice packets in
6 response to requests from potential class members and brokers
7 or nominees through February 8, 2021. As of February 8, 8,426
8 postcard notices, 832 notice packets were returned by JND --
9 excuse me -- returned to JND. Then JND received updated
10 addresses and forwarded notices to the updated addresses and
11 re-mailed the 4,786 postcard notices to updated addresses.

12 On January 25, 2021, two months after the initial
13 mailing, JND received a file from Apex Clearing Corporation
14 containing 65,357 names and addresses. This file was in
15 addition to the file previously provided by Apex to JND on
16 December 9, 2020. After confirming that the January 25, 2021,
17 list was not sent by Apex in error and following deduplication
18 efforts, JND identified 64,235 new names and addresses. JND
19 mailed postcards to the 64,235 Apex potential settlement class
20 members on January 29, 2021.

21 That was past the response deadline date of
22 January 25. So these postcard notices to potential class
23 members belatedly identified by Apex advised that any
24 objections and requests for exclusions received from the new
25 potential class members prior to the final hearing would be
26 presented to the Court. So the original response deadline was
27 January 25; but, obviously, the new mailing didn't take place
28 until January 29. As of February 10, JND received -- I'm

1 trying to see how many claims were received -- two objections,
2 seven requests for exclusion.

3 So based upon this, the Court is going to continue the
4 hearing and order that the settlement administrator file a
5 supplemental declaration confirming the number of claims
6 received as of the response deadline date, that's January 25;
7 any late-filed claims; any opt-outs; and any objections
8 received; also confirming the final cost of settlement
9 administration and providing the beginning and ending dates for
10 any publication of the notices. They're also to attach a copy
11 of the long-form notice that was issued to the class provided
12 on the website.

13 Also, I would order counsel to disclose their fee
14 percentage split and whether the plaintiffs have given written
15 consent to that. And then we will discuss at the next hearing
16 about whether we should recognize the late-filed claims,
17 opt-outs, or objections based upon the late mailing.

18 So now let's get the time for all this information to
19 be accumulated, and we'll set another hearing date on this.
20 We'll continue this matter until March 26 at 9:00 a.m.

21 And I'll order the administrator to submit a
22 supplemental report in response to all these issues about the
23 late notice and update confirming the number of claims, any
24 late-filed claims, opt-outs, and objections, the final cost of
25 settlement administration, the beginning and end dates of
26 publication, and also for counsel to submit the evidence with
27 regard to the fee split and consent of clients. And that
28 report should be submitted no later than March 15.

Transcript of Proceedings

1 Any comments or thoughts by counsel?

2 MR. PINTAR: None for plaintiff, Your Honor.

3 MR. CLOSE: Your Honor, it's Matthew Close.

4 I just wanted to confirm the time again on March 26
5 because I have a 10:00 a.m. before --

6 THE COURT: 9:00 a.m.

7 MR. CLOSE: Okay. Thank you, Your Honor. I just have a
8 10:00 a.m. before Judge Freeman, but that should be fine.
9 Thank you.

10 THE COURT: Thank you.

11 Anyone else?

12 MR. PINTAR: Not for plaintiffs, Your Honor.

13 THE COURT: Plaintiff to give notice and post it on the
14 website.

15 Thank you, Counsel. Have a good week.

16 (Whereupon, the proceedings concluded at 9:16 a.m.)

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SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

DEPARTMENT SSC 6 HON. ELIHU M. BERLE, JUDGE

Coordination Proceeding) Case No. JCCP4960
Special Title Rule (3.550))
SNAP INC. SECURITIES CASES) REPORTER'S CERTIFICATE
_____)

I, ESTRELLA HERMAN, OFFICIAL PRO TEM REPORTER OF THE SUPERIOR COURT OF THE STATE OF CALIFORNIA, FOR THE COUNTY OF LOS ANGELES, DO HEREBY CERTIFY THAT THE FOREGOING PAGES, 1 THROUGH 5, COMPRISE A TRUE AND CORRECT TRANSCRIPT OF THE PROCEEDINGS TAKEN IN THE ABOVE-ENTITLED MATTER REPORTED BY ME ON FEBRUARY 25, 2021.

DATED: FEBRUARY 25, 2021



ESTRELLA HERMAN, CSR
OFFICIAL PRO TEM COURT REPORTER
CSR NO. 13865

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