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20 Attorneys for Plaintiffs and the Certified Class

21 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
22 **COUNTY OF SAN FRANCISCO**

23 ERIC GRUBER; EVER GONZALEZ; and
24 JEREMY EARLS, individually and on behalf
25 and all others similarly situated

26 Plaintiffs,

27 v.

28 YELP, INC., and DOES 1-10, inclusive,

Defendants.

ELECTRONICALLY

FILED

Superior Court of California,
County of San Francisco

04/05/2024

Clerk of the Court

BY: VERA MU

Deputy Clerk

REDACTED

Case No. CGC 16-554784

CLASS ACTION

**DECLARATION OF MATTHEW H.
FISHER RE: REIMBURSEMENT OF
CLASS COUNSEL'S PAYMENTS TO
EPIQ**

Date: April 10, 2024

Time: 9:30 AM

Dept.: 613

Action Filed: October 12, 2016

Assigned to the Hon. Andrew Y.S. Cheng

1 **DECLARATION OF MATTHEW H. FISHER**

2 I, Matthew H. Fisher, declare as follows:

3 1. I am an attorney admitted to practice law in the State of California.

4 2. I am a named Partner at Da Vega Fisher Mechtenberg, LLP (“DFM LLP”).

5 3. DFM LLP is counsel for Plaintiffs Eric Gruber, Jeremy Earls, Ever Gonzalez, and the
6 certified class in this Lawsuit together with the co-counsel firms Jaurigue Law Group and KP Law
7 (collectively “Class Counsel”).

8 4. I have been intimately involved in all aspects of this case. I make this declaration in
9 support of Plaintiffs’ Motion for Final Approval of Class Settlement and Attorney Fees and Costs.

10 5. On or around March 7, 2024, the Court entered a Stipulation and Order Regarding
11 Epiq Expenses (“Stipulation”) permitting the parties to seek reimbursement for payments to Class
12 Administrator Epiq Class Action and Claims Solutions, Inc. (“Epiq”) for Settlement Administration
13 Costs made prior to the final approval hearing.

14 6. On or around March 25, 2024, Epiq sent Invoice No. 90834722 to the parties in the
15 amount of \$243,715.33 for certain Class Administration Costs, including out-of-pocket postage and
16 printing costs, and requesting reimbursement. A true and correct copy of this invoice is attached
17 hereto as **Exhibit A**.

18 7. Class Counsel agreed to advance a little less than one half of this invoice
19 (\$115,000,00) to Epiq. Class Counsel agreed for each Plaintiff’s firm (DFM LLP, Jaurigue Law
20 Group (“JLG”), and KP Law) to evenly split the invoice, with each firm incurring \$38,333.33 in
21 costs each.

22 8. JLG and KP Law each wired \$38,333.33 into DFM LLP’s business checking account
23 in satisfaction of their share of the payment.

24 9. On or around April 1, 2024, I sent on behalf of Class Counsel a wire transfer to Epiq
25 in the amount of \$115,000 from DFM LLP’s business account representing Class Counsel’s share of
26 the invoice. A true and correct copy of an Account Activity Page from DFM LLP’s business

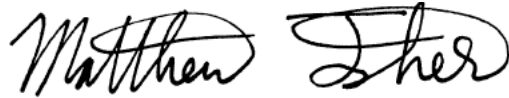
1 checking account evidencing this wire transfer, with private financial information redacted, is
2 attached hereto as **Exhibit B**.

3 10. It is my understanding that, to date, Yelp has not advanced any funds to Epiq.

4 11. A true and correct copy of a receipt from Epiq acknowledging Class Counsel's
5 \$115,000 payment is attached hereto as **Exhibit C**.

6
7
8 I declare under penalty of perjury under the laws of the State of California that the foregoing
9 is true and correct.

10
11 Date: April 5, 2024



12 _____
13 Matthew H. Fisher

EXHIBIT A

EPIQ INVOICE

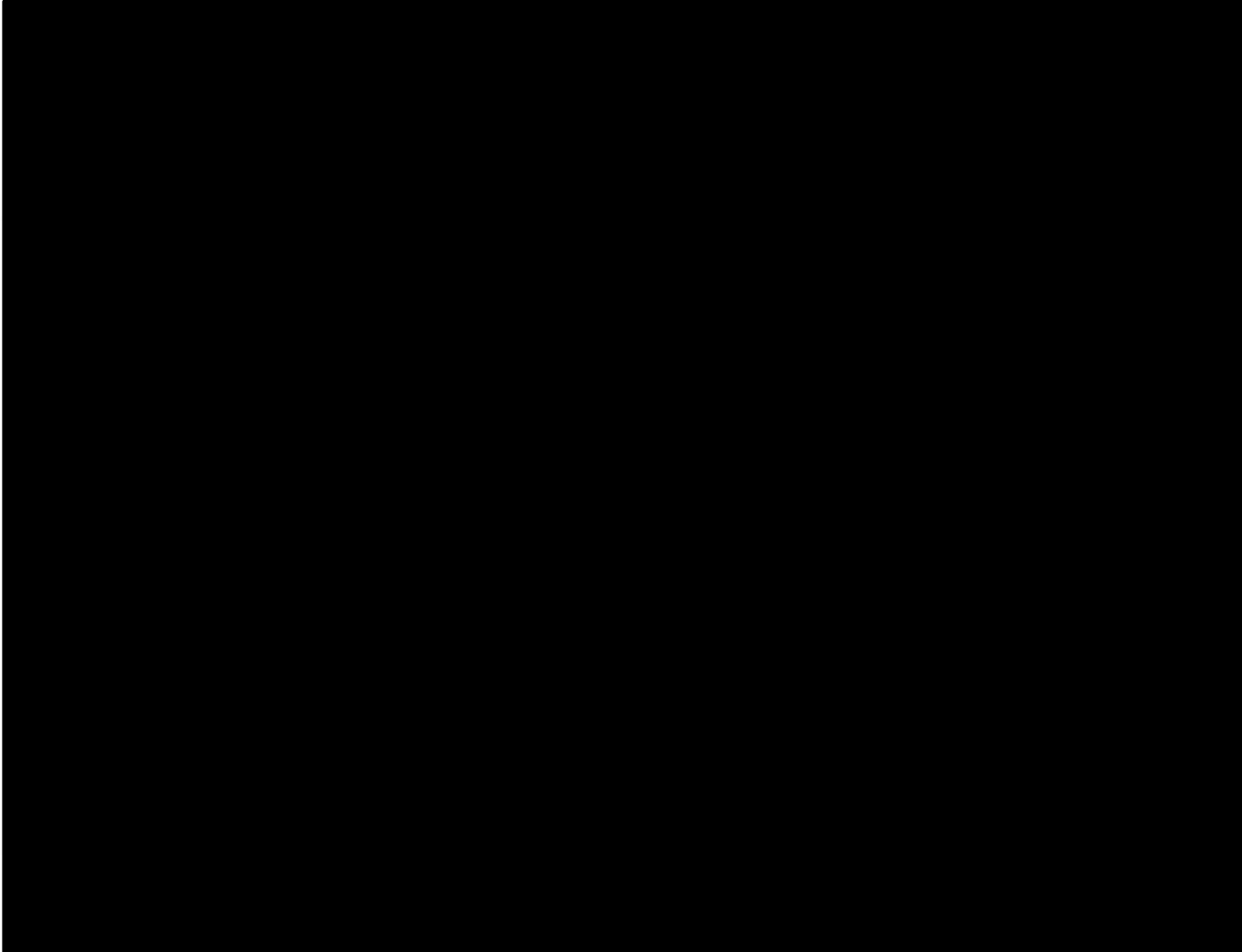
FILED CONDITIONALLY UNDER
SEAL

EXHIBIT B



BUS COMPLETE CHK [REDACTED]

DA VEGA FISHER MECHTENBERG LLP



Date	Description	Type	Amount
Apr 1, 2024	ONLINE DOMESTIC WIRE TRANSFER VIA: WESTERN ALLIANCE/[REDACTED] A/C: EPIQ CLASS ACTION BEAVERTON OR 97005 US REF: GRUBER V. YELP - PLAINTIFF SHARE OFEPIQ INVOICE IMAD: [REDACTED] TRN: [REDACTED]	Outgoing wire transfer	-\$115,000.00

EXHIBIT C



April 5, 2024

Matthew Fisher
Da Vega | Fisher | Mechtenberg LLP
640 W. California Ave., #210
Sunnyvale, CA 94086

Re: 1004108 / 40069343 Gruber v Yelp

To Mr. Fisher,

This letter is to confirm payment of \$115,000.00 has been received in the QSF for the above referenced matter. This payment was made by Da Vega | Fisher | Mechtenberg on April 1, 2024, SR7610095. Request to transfer these funds was completed today on SR7616334.

Please contact me if you have any questions or need further assistance.

Sincerely,

Christa Scruggs

Epiq | Collections Supervisor
Direct +1 913 621 9482
Email: cscruggs@epiqglobal.com