

1 Marc M. Seltzer (54534)
 mseltzer@susmangodfrey.com
 2 Steven G. Sklaver (237612)
 ssklaver@susmangodfrey.com
 3 Oleg Elkhunovich (269238)
 oelkhunovich@susmangodfrey.com
 4 Krysta Kauble Pachman (280951)
 kpachman@susmangodfrey.com
 5 Nicholas N. Spear (304281)
 nspear@susmangodfrey.com
 6 Michael Tayag (350113)
 mtayag@susmangodfrey.com
 7 SUSMAN GODFREY L.L.P.
 1900 Avenue of the Stars, 14th Floor
 8 Los Angeles, CA 90067
 Telephone: (310) 789-3100
 9 Facsimile: (310) 789-3150

10 James Q. Taylor-Copeland (284743)
 james@taylorcopelandlaw.com
 11 Max Ambrose (320964)
 maxambrose@taylorcopelandlaw.com
 12 TAYLOR-COPELAND LAW
 501 W. Broadway, Suite 800
 13 San Diego, CA 92101
 Telephone: (619) 400-4944
 14 Facsimile: (619) 566-4341

15 *Attorneys for Lead Plaintiff Bradley Sostack*
 16 *and Class Counsel*

17 *[Additional counsel on signature page]*

18 UNITED STATES DISTRICT COURT
 19 NORTHERN DISTRICT OF CALIFORNIA
 20 OAKLAND DIVISION

21 In re RIPPLE LABS INC. LITIGATION,

Case No. 18-cv-06753-PJH

22 _____
 23 This Document Relates To:
 24 ALL ACTIONS

**STIPULATION **AS MODIFIED
 BY THE COURT AND ~~PROPOSED~~
 ORDER TO APPROVE FORM AND
 MANNER OF CLASS NOTICE TO
 PAYWARD INC.'S CLIENTS**

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 STIPULATED ~~PROPOSED~~ ORDER TO APPROVE FORM AND MANNER OF CLASS NOTICE TO
 PAYWARD INC.'S CLIENTS
 CASE NO. 18-cv-06753-PJH

1 Lead Plaintiff Bradley Sostack, Defendants Ripple Labs Inc, XRP II, LLC, and Bradley
2 Garlinghouse, and Non-Party and Intervenor Payward Inc., d/b/a Kraken Digital Asset Exchange
3 (“Kraken”) (collectively, the “Parties”) hereby stipulate as follows:

4 **WHEREAS**, on January 11, 2024, the Court held a hearing on Plaintiff’s Motion to
5 Approve the Form and Manner of Class Notice, Dkt. 303, and Kraken’s Motion to Intervene, Dkt.
6 308, at which the Court granted Kraken’s Motion to Intervene and stated that Kraken must “send
7 the class notice in the standardized format sent to all class members” but may “send supplementary
8 information to its clients that is tailored to their particular needs.” Dkt. 335.

9 **WHEREAS**, on January 18, 2024, the Court granted the Motion to Approve the Form and
10 Manner of Class Notice in part, denying it in part only to the extent that it seeks to send notice to
11 non-U.S. residents, and directed the parties to submit a stipulation to approve the final form of
12 class notice. *Id.*

13 **WHEREAS**, the Parties agree that class notice should be issued to class members who are
14 Kraken clients on the same timeline it is issued to other class members.

15 **NOW, THEREFORE, IT IS HEREBY STIPULATED** by and between Lead Plaintiff,
16 Defendants, and Kraken, through their respective counsel, that:

- 17 1. Notice sent by Kraken to its clients in the proposed class shall be by e-mail with the
18 following form:

19 **Subject line:** Notice of XRP class action lawsuit

20 Dear Valued Client,

21 We’re reaching out to inform you of a class action lawsuit against Ripple Labs,
22 which claims that they are liable to persons or entities who purchased XRP,
23 amongst other claims.

24 Our records indicate that you have purchased XRP on Kraken between July 3,
25 2017 and June 30, 2023, which means that it may be within your rights to receive
26 money or benefits that come from the lawsuit, depending on the outcome.

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Is my personal information being shared?

No, none of your information has been shared or will be shared by Kraken. Rather than providing your contact information to the Court, we chose to contact you directly because we hold our clients’ privacy and security in the highest regard and stand strongly against unilaterally providing client data to any person or entity.

What do you need to do?

You can either choose to do nothing, or exclude yourself. For more information, please see the full court-authorized Notice here (SC URL).

The “here (SC URL)” above shall be replaced with a link to a Kraken-hosted support article. That article will include a link to the full Court-approved long-form notice in PDF format. The Parties recognize that Kraken may include such additional commentary and responses to questions in the support article as it deems appropriate, provided that Kraken clearly states that any additional commentary or responses are not provided by the Court.

2. The following notice deadlines will commence from the date the Court grants this Stipulated [Proposed] Order:

- a. Within fourteen (14) days, JND Legal Administration LLC (“JND”) will commence sending the Email Notice, Dkt. 303-9, to all potential Class Members for whom a valid email has been provided (the “Notice Date”). JND will mail a Postcard Notice, Dkt. 303-10, to any Class Member for whom an Email Notice bounces back undeliverable and for whom a valid mailing address has been provided.
- b. On or before the Notice Date, Kraken will commence sending Email Notice to its users who transacted in XRP during the relevant class period.

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- c. On or before the Notice Date, JND will develop and deploy an informational case-specific website where Class Members may obtain more information about the litigation. The case website will provide links to important case documents, including the Long Form Notice, Dkt. 303-12.
- d. On or before the Notice Date, JND will commence a media notice campaign, lasting for three weeks, consisting of digital ads targeting a custom audience using the Google Display Network, including on popular cryptocurrency websites, as well as targeted ads on Reddit and X, as described in the Intrepido-Bowden Declaration, Dkt. 303-7. The digital ads, Dkt. 303-11, will include an embedded link to the case website.
- e. On or before the Notice Date, JND will create and maintain an automated toll-free telephone line that potential Class Members may contact for information related to the litigation, and an email address for the same purpose. The telephone line will have an interactive voice response available 24 hours a day, seven days a week.
- f. On or before the Notice Date, JND will create and maintain a dedicated post office box for this matter where potential Class Members may send their exclusion requests. JND will maintain an email address for the same purpose.
- g. Class Members who wish to be excluded from the Class must send a letter or email to JND requesting exclusion from *In re Ripple Labs Inc. Litigation*, with their name, address, telephone number, email, and signature. Potential Class Members will have fifty-six (56) days after the Notice Date to opt out.

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h. Lead Plaintiff shall file with the Court proof of delivery of the Email Notice, proof of commencement of the media campaign, and proof of website posting of the Long Form Notice within 14 days of the Notice Date.

3. **The case name on all class notice documents shall be standardized and made consistent with the caption used by the parties on their filings, namely, *In re Ripple Labs Inc. Litigation*.

Dated: January 26, 2024

By: /s/ Michael Tayag
Marc M. Seltzer (54534)
mseltzer@susmangodfrey.com
Steven G. Sklaver (237612)
ssklaver@susmangodfrey.com
Oleg Elkhunovich (269238)
oelkhunovich@susmangodfrey.com
Krysta Kauble Pachman (280951)
kpachman@susmangodfrey.com
Nicholas N. Spear (304281)
nspear@susmangodfrey.com
Michael Tayag (350113)
mtayag@susmangodfrey.com
SUSMAN GODFREY L.L.P.
1900 Avenue of the Stars, 14th Floor
Los Angeles, CA 90067
Telephone: (310) 789-3100
Facsimile: (310) 789-3150

James Q. Taylor-Copeland (284743)
james@taylorcopelandlaw.com
Max Ambrose (320964)
maxambrose@taylorcopelandlaw.com
TAYLOR-COPELAND LAW
501 W. Broadway, Suite 800
San Diego, CA 92101
Telephone: (619) 400-4944
Facsimile: (619) 566-4341

Attorneys for Lead Plaintiff Bradley Sostack and Class Counsel

Dated: January 26, 2024

By: /s/ Bradley Oppenheimer
Damien J. Marshall (*pro hac vice*)
dmarshall@kslaw.com
Andrew Michaelson (*pro hac vice*)
amichaelson@kslaw.com
KING & SPALDING LLP

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1185 Avenue of the Americas, 34th Floor
New York, NY 10036
Telephone: (212) 556-2100
Facsimile: (212) 556-2222

Lisa Bugni (323962)
lbugni@kslaw.com
Meghan Strong (324503)
mstrong@kslaw.com
KING & SPALDING LLP
50 California Street, Suite 3300
San Francisco, CA 94111
Telephone: (415) 318-1200
Facsimile: (415) 318-1300

Andrew J. Ceresney (*pro hac vice*)
aceresney@debevoise.com
DEBEVOISE & PLIMPTON LLP
919 Third Avenue
New York, NY 10022
Telephone: (212) 909-6000
Facsimile: (212) 909-6836

*Attorneys for Defendants Ripple Labs Inc.,
XRP II, LLC, and Bradley Garlinghouse*

Michael Kellogg (*pro hac vice*)
mkellogg@kellogghansen.com
Reid Figel (*pro hac vice*)
rfigel@kellogghansen.com
Bradley Oppenheimer (*pro hac vice*)
boppenheimer@kellogghansen.com
Bethan Jones (*pro hac vice*)
bjones@kellogghansen.com
KELLOGG, HANSEN, TODD, FIGEL &
FREDERICK, P.L.L.C.
Sumner Square
1615 M. Street, N.W., Suite 400
Washington D.C. 20036 Tel: (202) 326-7900

Attorneys for Defendant Ripple Labs Inc.

Dated: January 26, 2024

By: /s/ Robert S. Sandoval
Michael J. O'Connor (*pro hac vice*)
michaelo@kraken.com
Robert S. Sandoval (311032)
robert.sandoval@kraken.com
Payward, Inc.
100 Pine St Suite 1250
San Francisco, CA 94111
Telephone: (707) 647-4824

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*Attorney for Payward, Inc., d/b/a Kraken Digital
Asset Exchange*

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~~PROPOSED~~ ORDER

Pursuant to the foregoing stipulation as modified, **IT IS SO ORDERED.**

Dated: January 26, 2024



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ATTESTATION

Pursuant to Civil Local Rule 5-1(i)(3) regarding signatures, I attest that concurrence in the filing of this document has been obtained from the other signatories.

DATED: January 26, 2024

/s/ Michael Tayag
Michael Tayag