Civil No. S260391

SUPREME COURT OF CALIFORNIA

JEREMIAH SMITH,

Plaintiff and Appellant

v.

LOANME, INC.,

Defendant and Respondent.

APPLICATION TO SUBMIT *AMICUS CURIAE* BRIEF OF PUBLIC JUSTICE, P.C. IN SUPPORT OF PLAINTIFF JEREMIAH SMITH

Review from Judgment of the Fourth District Court of Appeal,
Case No. E069752

Riverside County Superior Court, Case No. RIC1612501

F. Paul Bland
State Bar No. 298635
Public Justice, P.C.
475 14th Street, Suite 610
Oakland, California 94612
(510) 622-8150

Amy E. Keller*
DiCello Levitt Gutzler LLC
Ten North Dearborn Street
Sixth Floor
Chicago, Illinois 60602
(312) 214-7900

Justin Hawal*
DiCello Levitt Gutzler LLC
7556 Mentor Avenue
Mentor, Ohio 44060
(314) 332-1500

** pro hac vice pending*

Counsel for Amicus Public Justice, P.C.

CERTIFICATE OF INTERESTED PARTIES

Pursuant to California Rule of Court 8.208, Public Justice, P.C. certifies that it is a professional corporation. Public Justice has no parent corporation. There is no publicly held corporation that owns ten percent or more of its stock. Public Justice certifies that it knows of no other person or entity that has a financial or other interest in the outcome of the proceeding that it reasonably believes the Justices of this Court should consider in determining whether to disqualify themselves under canon 3E of the Code of Judicial Ethics.

Dated: July 17, 2020

/s/ F. Paul Bland
F. Paul Bland

I. APPLICATION OF PUBLIC JUSTICE, P.C. FOR LEAVE TO FILE AN AMICUS BRIEF IN SUPPORT OF PLAINTIFF AND APPELLANT JEREMIAH SMITH

Public Justice, P.C. ("Public Justice") hereby respectfully requests that its attached amicus brief submitted in support of Plaintiff and Appellant Jeremiah Smith be accepted for filing in this action.

Counsel is familiar with all of the briefing filed in this action to date. The concurrently-filed amicus brief is very concise because it addresses very precise, but critically-important, points regarding the applicable legislative history not otherwise considered or argued by the parties and amicus believes the brief will assist this Court in its consideration of the issues presented.

No party to this action has provided support in any form with regard to the authorship, production, or filing of this brief.

II. STATEMENT OF INTEREST OF THE *AMICUS*

Public Justice is a national public interest law firm dedicated to pursuing justice for victims of corporate, governmental, and other abuses. Public Justice specializes in precedent-setting and socially significant cases designed to advance consumers' and victims' rights, civil rights and liberties, occupational health and workers' rights, the preservation and improvement of the civil justice system, and the protection of the poor and the powerless. This case is of particular interest to Public Justice because it involves the rights of consumers to not have their private telephone calls recorded without their knowledge or consent, and protecting consumers from corporate wrongdoing is a key element of Public Justice's mission.

By: */s/ F. Paul Bland*
F. Paul Bland

State Bar No. 298635
Public Justice, P.C.
475 14th Street, Suite 610
Oakland, California 94612
(510) 622-8150
pbland@publicjustice.net

Amy E. Keller, *pro hac vice pending*
DiCello Levitt Gutzler LLC
Ten North Dearborn Street
Sixth Floor
Chicago, Illinois 60602
(312) 214-7900
akeller@dicellolevitt.com

Justin Hawal, *pro hac vice pending*
DiCello Levitt Gutzler LLC
Western Reserve Law Building
7556 Mentor Avenue
Mentor, Ohio 44060
jhawal@dicellolevitt.com

Counsel for Amicus Curiae
Public Justice, P.C.

Civil No. S260391

SUPREME COURT OF CALIFORNIA

JEREMIAH SMITH,

Plaintiff and Appellant

v.

LOANME, INC.,

Defendant and Respondent.

AMICUS CURIAE BRIEF OF PUBLIC JUSTICE, P.C. IN SUPPORT OF PLAINTIFF JEREMIAH SMITH

Review from Judgment of the Fourth District Court of Appeal,
Case No. E069752
Riverside County Superior Court, Case No. RIC1612501

F. Paul Bland
State Bar No. 298635
Public Justice, P.C.
475 14th Street, Suite 610
Oakland, California 94612
(510) 622-8150

Amy E. Keller*
DiCello Levitt Gutzler LLC
Ten North Dearborn Street
Sixth Floor
Chicago, Illinois 60602
(312) 214-7900

Justin Hawal*
DiCello Levitt Gutzler LLC
7556 Mentor Avenue
Mentor, Ohio 44060
(314) 332-1500

** pro hac vice pending*

Counsel for Amicus Public Justice, P.C.

TABLE OF CONTENTS

TABLE OF AUTHORITIES

Page(s)

Cases

Statutes

Other Authorities

INTRODUCTION AND SUMMARY OF THE ARGUMENT

This case concerns the codification of longstanding principles of the right to privacy in California—specifically, the legislature's prohibition of receiving and intentionally recording of certain communications, including private conversations or telephone calls, without the consent of all parties to that conversation. California Penal Code section 632.7 prohibits a person, without the consent of all parties to a communication, from intercepting or receiving and intentionally recording a telephone communication involving at least one cordless or cellular telephone. The Court of Appeal held that Section 632.7 prohibits only *third-party eavesdroppers* from intentionally recording these communications. Not only does the Court of Appeal's decision misinterpret the plain meaning of the statute, but the legislative history of the statute—which this Court may consider as part of its analysis—demonstrates why that interpretation is incorrect.

Because the parties have thoroughly briefed the predominate legal issues and addressed the legislative history at the time that Cal. Penal Code § 632.7 was enacted, this brief will focus primarily on the legislative history of the various proposed amendments to Cal. Penal Code § 632.7 since its enactment. In determining the California Legislature's intent, this Court cannot ignore and should give due consideration to the subsequent expressions of the Legislature's intent. In the years since the enactment of Cal. Penal Code § 632.7, the California Legislature has addressed various proposed amendments and changes to the statute. Subsequent legislative history, shortly after the statute was enacted, demonstrates that the legislature intended Cal. Penal Code § 632.7 to correct an "anomaly" that allowed parties to a cellular telephone call—but not a landline call—to record a telephone conversation without

the consent of all parties. *See* California Bill Analysis, A.B. 1554 Assem. (April 13, 1993).

This intent is elucidated even further when considering the legislative history of Assembly Bill No. 925, a proposed bill, which the Legislature declined to enact, seeking to amend § 632.7 to create a disclosure exception for businesses that record cellular telephone calls with their customers. *See* Committee Report for 2015 California A.B. No. 925 (May 5, 2015). Assembly Bill No. 925 was introduced in 2015—against the backdrop of several federal cases interpreting § 632.7 to apply to parties to a cellular telephone call—and proposed an exception to § 632.7 that would allow businesses to call a mobile telephone and record non-confidential portions of a phone call with its customers or former customers. The rationale behind the bill was to preclude liability for businesses based upon routine or benign conduct, for example, when a call contained no confidential information and ended before a disclosure could be given. But such an amendment would be entirely unnecessary if the Legislature intended and understood § 632.7 not to apply to the parties to a cellular telephone call in the first place.

This Court, therefore, should interpret Cal. Penal Code § 632.7 in accordance with the Legislature's intent—to prohibit parties to a cellular phone call from recording the call without consent of all parties—and reverse the Appellate Court's decision.

ARGUMENT

A. This Court Cannot Ignore and May Rely on Subsequent Legislative History in Determining the Intent of the Legislature.

This Court has long recognized that "various aids" may be used to determine legislative intent and that "a subsequent expression of the Legislature as to the intent of the prior statute,

although not binding on the court, may properly be used in determining the effect of a prior act." *California Employment Stabilization Commission v. Payne*, 31 Cal. 2d 210 (1947); *see also Western Security Bank v. Superior Court*, 15 Cal. 4th 232, 250 (1997). Indeed, this Court "may properly rely on the legislative history of subsequent enactments to clarify the Legislature's intent regarding an earlier enacted statute," and, "while the concept of subsequent legislative history may seem oxymoronic, it is well established that the Legislature's expressed views on the prior import of its statutes are entitled to due consideration," and cannot be ignored. *Mt. Hawley Ins. Co. v. Lopez*, 215 Cal. App. 4th 1385, 1408 (Cal. App. Ct. 2013) (internal quotations omitted); *Ailanto Properties, Inc. v. Cty. of Half Moon Bay*, 142 Cal. App. 4th 572, 589 n. 13 (Cal. App. Ct. 2006); *Cty. of Long Beach v. California Citizens for Neighborhood Empowerment*, 111 Cal. App. 4th 302, 307 n. 6 (Cal. App. Ct. 2003).

As set forth more fully below, the subsequent legislative history to the various proposed amendments to Cal. Penal Code § 632.7, since its enactment, shows that the California Legislature intended—and still intends—§ 632.7 to apply to the parties to a cellular telephone call. The legislature has expressly acknowledged the federal court decisions relied upon by Appellant Smith and stated that "courts have been compelled by the plain language of Penal Code 632.7 to require consent prior to recording 'any' portion of 'all' calls made to persons on a mobile phone, regardless of whether confidential information is discussed." Committee Report for 2015 California A.B. No. 925 (May 4, 2015), at 5, 8; *see also Presbyterian Camp & Conference Cntrs., Inc. v. Superior Court*, 42 Cal. App. 5th 148, 154 (Cal. App. Ct. 2019) (presuming legislature is aware of judicial interpretations of its laws). Accordingly, this Court

should utilize the subsequent legislative history of Cal. Penal Code § 632.7 as an aid in determining the intent of the California Legislature.

B. The Subsequent Legislative History of § 632.7 Confirms that the California Legislature Intended to Close A Loophole That Permitted *Parties* to Record Telephone Conversations Between Cellular or Cordless Phones Without Consent.

The subsequent legislative history confirms that the analysis in *Simpson v. Best Western Intern., Inc.*, No. 3:12-cv-04672-JCS, 2012 WL 5499928, at *8 (N.D. Cal. Nov. 13, 2012), and its progeny is correct. In 1992, the California Legislature unanimously passed Cal. Penal Code § 632.7. *See* Cal. Dept. of Consumer Affairs, Enrolled Bill Report on Assem. Bill No. 2465 (1992), at 4. Although Cal. Penal Code § 632 already prohibited recording confidential communications, the legislature assumed that § 632 only applied to telephone calls made on landlines—not to calls made on cellular or cordless telephones. *See* Letter to Governor Pete Wilson from Assembly Member Lloyd G. Connelly (July 2, 1992) ("[U]nder existing law, it is not illegal to record the otherwise private conversations of persons using cellular or cordless phones."). Additionally, at the time, Cal. Penal Code §§ 632.5 and 632.6 only protected telephone calls made on cellular or cordless phones from malicious eavesdropping, but did not protect against unauthorized recording by the parties to a call.

Based on the foregoing, the *Simpson* court concluded that Cal. Penal Code § 632.7 was intended to close this loophole and to extend the same protection against unauthorized recording of telephone calls that extended to those who used landlines to those who used cellular or cordless telephones. 2012 WL 5499928, at *8 (citing Author Lloyd G. Connelly's Statement of Intent, Assem. Bill No. 2465 (1992), at 1 (The statute "simply extends to persons who use cellular or cordless telephones the same protection from recordation that persons

using 'landline' telephones presently enjoy.")); *see also Lal v. Capital One Financial Corp.*, No. 16-cv-06674-BLF, 2017 WL 1345636, at *9 (N.D. Cal. April 12, 2017); *Ramos v. Capital One, N.A.*, No. 17-cv-00435-BLF, 2017 WL 3232488, at *9 (N.D. Cal. July 27, 2017); *Brinkley v. Monterey Financial Servs., LLC*, No. 16-cv-1103-WQH-WVG, 2020 WL 1929023, at *4 (S.D. Cal. April 21, 2020). Subsequent legislative history confirms the California Legislature's intention to close the loophole, prohibiting the unauthorized recording of cellular telephone calls *by the parties to the call*.

1. Assembly Bill No. 1554.

In 1993, one year after § 632.7 was enacted, the California Legislature proposed Assembly Bill 1554, which would have revised and clarified the definition of cellular telephones used in § 632.7. *See* California Bill Analysis, A.B. 1554 Assem. (April 13, 1993). In so doing, the California Legislature set forth the purpose of § 632.7, stating:

> Prior to last year, it was illegal to intercept a conversation transmitted between cellular or cordless phones, but not to record one. By contrast, it was illegal to intercept or record conversations between conventional, landline phones. AB 2465 (Connelly) sough to correct that anomaly.

Id. This statement of purpose clearly supports Appellant's—and the vast majority of courts'—statutory interpretation that § 632.7, like § 632, was intended to prohibit both the interception and unauthorized recording by the parties of communications on cellular or cordless telephones.

Likewise, the Senate Committee on Judiciary's July 13, 1993 hearing, relating to Assembly Bill No. 1554, indicates that § 632.7's purpose was to eliminate the loophole permitting unauthorized recording of telephone calls involving cellular telephones and that §

632.7 "makes the interception *and intentional recording* of a communication transmitted between two telephones, one or both of which is a cellular, cordless or landline telephone, without the consent of all parties to that communication, punishable as an alternate felony/misdemeanor." California Bill Analysis, A.B. No. 1554 Sen. (July 13, 1993) (emphasis added). Thus, one year after § 632.7 was enacted, the California legislature understood it to apply to any recording of a cellular telephone conversation, including a recording by one of the parties, without the consent of all parties.

2. Assembly Bill No. 2662.

In 1994, the California Legislature proposed Assembly Bill No. 2662, which provided that communication between clients and their lawyers by means of facsimile and cellular telephones are "confidential" within the meaning of the attorney-client privilege. *See* California Bill Analysis, A.B. 2662 Assem. (March 9, 1994). In doing so, the legislature expressed its understanding that the general prohibition against unauthorized recording of telephone conversations found in § 632, without consent of all parties—and which Appellee concedes applies to parties to the communication—applied equally to cell phone communications, by virtue of § 632.7. *Id.* In that regard, the legislature stated:

> Penal Code Section 630, *et. seq.*, generally, prohibits the interception, eavesdropping, and recordation of various 'telephone' conversations. These prohibitions apply to traditional 'landline' communications and communications by means of 'cellular radio telephone and cordless telephone.' (See Penal Code Section 632.5, 632.6, and 632.7.)

Id.

The legislature clearly states, citing to § 632.7, that "these prohibitions," including the prohibition against "recordation," apply equally to communications using cellular telephones.

Thus, on at least two occasions shortly after § 632.7 was enacted, the California Legislature expressed its intention that § 632.7 prohibits a party to a call involving a cell phone from recording the call without consent of the other parties.

3. Assembly Bill No. 925.

More recently, in 2015, the California Legislature introduced a bill that would amend § 632.7 so that businesses could record non-confidential portions of a cellular telephone call without consent. Assembly Bill No. 925 was introduced to exempt "non confidential communications between a person or business and a current or former customer regarding their business relationship from any illegal non-consensual recording prohibitions." *See* Committee Report for 2015 California A.B. No. 925 (May 5, 2015). In doing so, the legislature clearly evidenced its understanding that § 632.7 applies to the parties to a cell phone conversation. Specifically, the legislature stated that the bill:

> [p]rovides an exception to the prohibition of calling a mobile phone and intentionally recording a telephonic communication *without the consent of both parties* for all non-confidential communications between a person or business and a current or former customer of the person or business, or a person reasonably believed to be a current or former customer, regarding their business relationship, including, but not limited to, communications regarding billing, provisioning, maintaining, or operating the product or service provided by the person or business.

Id. (emphasis added). Thus, the California Legislature recognized that § 632.7 prohibits a party to a phone call from "calling a mobile phone" and intentionally recording the call without the consent of all parties—not just third-party eavesdropping.

Indeed, the proposed bill itself evidences the legislature's intent that § 632.7 requires businesses calling a mobile phone—exactly what occurred in this case—to disclose that it is

recording the conversation:

> However, with the advent and proliferation of cellular telephones, the legislature attempted to update the CIPA by enacting Penal Code 632.7 which applies specifically to mobile phones. Unfortunately, while mobile devices were added to the Penal Code to ensure that communications conducted with a cellular telephone were applied similarly to landlines, code section 632.7 failed to distinguish between confidential and non-confidential calls. As such, courts have been compelled by the plain language of Penal Code 632.7 to require consent prior to recording "any" portion of "all" calls made to persons on a mobile phone, regardless of whether confidential information is discussed. As a result, this distinction has led to a number of lawsuits based on whether an innocuous business service call is placed to a customer on a landline or a mobile phone. AB 925 seeks to harmonize Penal Code 632 and 632.7 by creating a very narrow exception for non-confidential communication between a business and a customer prior to providing the recording disclosure. *This bill will not remove the CIPA requirement to obtain the consent of a party prior to recording a confidential communication.*

Id. at 8 (emphasis added). Nowhere in the legislative history relating to Assembly Bill No. 925 does the legislature even entertain the notion that § 632.7 does not apply to parties to the phone call—an interpretation that would have made the bill itself unnecessary.

Moreover, had it been the intent of the legislature for § 632.7 not to apply to parties to a phone call, the legislature certainly would have stated so because opponents of the bill argued that § 632.7 clearly applies to the parties to a phone call. *Id.* at 9 ("Under Penal Code 632.7, conversations can be recorded; however, a party cannot secretly record the conversation without first informing all parties that the conversation is being recorded so a person has the opportunity to end the call and avoid invasion of privacy."). Opponents of the bill also specifically argued that the legislative intent behind § 632.7 was to expand the privacy protections of § 632 to apply to cellular phones:

> AB 925 would reverse long standing privacy protection law to allow

> businesses and individuals to secretly record phone conversations with current or former customers without their knowledge or consent. ”AB 925 robs California citizens of the important right to know when someone records their telephone calls. This bill extinguishes what Assemblyman Jesse M. Unruh advocated for decades ago: all party consent in California. In 1967, the California Legislature enacted a broad, protective invasion-of-privacy statute in response to what it viewed as a serious and increasing threat to the confidentiality of private communications resulting from then recent advances in science and technology that had led to the development of new devices and techniques for eavesdropping upon and recording such private communications. (Stats. 1967, ch. 1509, 1, pp. 3584-3588, enacting Pen. Code, 630-637.2). In 1992, AB 2465 (Connelly) added 632.7 to the penal code to expand these privacy protections to include cellular telephones. This legislative intent is even more applicable in today's world as privacy and information protections are of the highest concern to consumers.

Id. at 8-9. The California Legislature presumably agreed, as Assembly Bill No. 925 died in the Assembly Appropriations Committee in April 2015 and has not been reintroduced.

Accordingly, subsequent legislative history relating to § 632.7 directly refutes the appellate court's holding in this case and clearly evidences the California Legislature's intent that § 632.7 prohibits the parties to a cellular telephone call from recording such call without consent. This Court should adhere to the legislature's intent and reverse the appellate court's decision in this case.

C. This Court Should Interpret § 632.7 in Accordance with the Legislature's Intent.

This Court should interpret Cal. Penal Code § 632.7 in accordance with the California Legislature's intent, as clearly expressed in the subsequent legislative history identified above, which is also consistent with the legislature's general intent to protect individual privacy. *See Warden v. Kahn*, 99 Cal. App. 3d 805, 810 (Cal. App. Ct. 1979) ("The dominant objective of [CIPA], as reflected in its preamble, is 'to protect the right of privacy of the people of this state."). The "touchstone" of statutory interpretation is the probable intent of

the legislature. *California Teachers Assn. v. Governing Bd. of Rialto Unified School Dist.*, 14 Cal. 4th 627, 632 (1997). This Court "must 'ascertain the intent of the Legislature so as to effectuate the purpose of the law.'" *Id.* (quoting *Dyna-Med, Inc. v. Fair Employment & Housing Com.*, 43 Cal. 3d 1379, 1386 (1987)). "It cannot be too often repeated that due respect for the political branches of our government requires us to interpret the laws in accordance with the expressed intention of the Legislature." *Id.* at 633.

As expressed—clearly—in the subsequent legislative history of § 632.7, the California Legislature intended to expand the privacy protections of § 632 to apply to cellular telephone calls—closing a loophole that prohibited the parties from recording landline calls without consent, but not cellular telephone calls. Further, the legislative history of Assembly Bill No. 925 establishes that the California Legislature intends § 632.7 to require businesses that call mobile phones to immediately disclose when such calls are being recorded. *See* Committee Report for 2015 California A.B. No. 925 (May 5, 2015), at 5, 8. This Court, therefore, should interpret § 632.7 in accordance with the expressed intention of the Legislature and reverse the appellate court's decision in this case.

CONCLUSION

In addition to the reasons set forth in Appellant's briefs, these additional considerations further support the conclusion that the appellate court erred in determining that Cal. Penal Code § 632.7 applies only to third party eavesdroppers.

Respectfully submitted by:

/s/ F. Paul Bland
F. Paul Bland
Public Justice, P.C.

State Bar No. 298635
475 14th Street, Suite 610
Oakland, California 94612
(510) 622-8150
pbland@publicjustice.net

Amy E. Keller, *pro hac vice pending*
DiCello Levitt Gutzler LLC
Ten North Dearborn Street
Sixth Floor
Chicago, Illinois 60602
(312) 214-7900
akeller@dicellolevitt.com

Justin Hawal, *pro hac vice pending*
DiCello Levitt Gutzler LLC
Western Reserve Law Building
7556 Mentor Avenue
Mentor, Ohio 44060
jhawal@dicellolevitt.com

Counsel for Amicus Curiae
Public Justice, P.C.

CERTIFICATE OF COMPLIANCE

I, F. Paul Bland, declare under penalty of perjury under the laws of the State of California that the word count for this Brief, excluding Tables of Contents, Tables of Authorities, Proof of Service, and this Certification is 2,956 words, as calculated utilizing the word count feature of Microsoft Word software used to create this document.

Dated: July 17, 2020

/s/ F. Paul Bland
F. Paul Bland

PROOF OF SERVICE

I am over the age of eighteen years and am not a party to the within action. I am employed in Washington, D.C., and in the County of Alameda, State of California, with Public Justice, P.C., and am a member of the bar of this Court. My business addresses are 1620 L Street NW, suite 630, Washington, D.C. 20036, and 475 14th Street, Suite 610, Oakland, California 94612. On July 17, 2020, I served a true and original copy of the foregoing documents described as the Application for to Submit and the *Amicus Curiae* Brief of Public Justice, P.C. in Support of Plaintiff Jeremiah Smith, by placing a true copy by e-service through TrueFiling on:

The Supreme Court of California;

Fourth Appellate District, Second Division, County of Riverside;

Jared Toffer & Matthew Lilly, Attorneys for Respondent LoanMe, Inc.; and

Todd M. Friedman and Adrian R. Bacon, Attorney for Appellant Jeremiah Smith.

Executed this 17th day of July 2020.

/s/ F. Paul Bland
F. Paul Bland

STATE OF CALIFORNIA
Supreme Court of California

PROOF OF SERVICE

STATE OF CALIFORNIA
Supreme Court of California

Case Name: **SMITH v. LOANME**
Case Number: **S260391**
Lower Court Case Number: **E069752**

1. At the time of service I was at least 18 years of age and not a party to this legal action.

2. My email address used to e-serve: **kmorris@publicjustice.net**

3. I served by email a copy of the following document(s) indicated below:

Title(s) of papers e-served:

Filing Type	Document Title
BRIEF	Application to File and Amicus Curiae Brief of Public Justice PC in Support of Plaintiff

Service Recipients:

Person Served	Email Address	Type	Date / Time
Paul Bland Public Justice, PC 298635	kmorris@publicjustice.net	e-Serve	7/22/2020 1:14:01 PM
Todd Friedman Law Offices of Todd M. Friedman, P.C. 216752	tfriedman@toddflaw.com	e-Serve	7/22/2020 1:14:01 PM
Jared Toffer Finlayson, Toffer, Roosevelt & Lilly, LLP 223139	jtoffer@ftrlfirm.com	e-Serve	7/22/2020 1:14:01 PM
Jessica Weisel Akin Gump Strauss Hauer & Feld LLP 174809	jweisel@akingump.com	e-Serve	7/22/2020 1:14:01 PM
Ignacio Hernandez Court Added Pro Per	mail@consumercal.org	e-Serve	7/22/2020 1:14:01 PM
Tatiana Thomas Akin Gump Strauss Hauer & Feld LLP	tthomas@akingump.com	e-Serve	7/22/2020 1:14:01 PM
Benjamin Barr Barr & Klein PLLC 6274521	ben@barrklein.com	e-Serve	7/22/2020 1:14:01 PM
Benjamin Turner Baker McKenzie LLP	ben.turner@bakermckenzie.com	e-Serve	7/22/2020 1:14:01 PM
Ignacio Hernandez Attorney at Law 224417	ignacio@hernandezstrategy.com	e-Serve	7/22/2020 1:14:01 PM
Alan Butler Attorney at Law	butler@epic.org	e-Serve	7/22/2020 1:14:01 PM
Megan Iorio	iorio@epic.org	e-	7/22/2020

Attorney at Law		Serve	1:14:01 PM
Stephen Klein Barr & Klein PLLC 177056	steve@barrklein.com	e-Serve	7/22/2020 1:14:01 PM
Risa Slavin Akin Gump Strauss Hauer and Feld	rslavin@akingump.com	e-Serve	7/22/2020 1:14:01 PM
G. Rubin Litchfield Cavo, LLP 181293	rubin@litchfieldcavo.com	e-Serve	7/22/2020 1:14:01 PM
Patrick Keegan Keegan Baker, LLP 167698	pkeegan@keeganbaker.com	e-Serve	7/22/2020 1:14:01 PM
Rebecca Girolamo Akin Gump Strauss Hauer Feld, LLP	bgirolamo@akingump.com	e-Serve	7/22/2020 1:14:01 PM
Thomas Wheeler Law Offices of Todd M. Friedman P.C. 308789	twheeler@toddflaw.com	e-Serve	7/22/2020 1:14:01 PM
Rex Heinke Akin Gump Strauss Hauer and Feld 66163	rheinke@akingump.com	e-Serve	7/22/2020 1:14:01 PM
Michael Williams Finlayson, Toffer, Roosevelt & Lilly LLP 196863	mwilliams@ftrlfirm.com	e-Serve	7/22/2020 1:14:01 PM
Zach Dostart Dostart Hannink & Coveney LLP 255071	zdostart@sdlaw.com	e-Serve	7/22/2020 1:14:01 PM
Edward Totino Baker McKenzie, LLP 169237	edward.totino@bakermckenzie.com	e-Serve	7/22/2020 1:14:01 PM

This proof of service was automatically created, submitted and signed on my behalf through my agreements with TrueFiling and its contents are true to the best of my information, knowledge, and belief.

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

7/22/2020

Date

/s/Paul Bland

Signature

Bland, Paul (298635)

Last Name, First Name (PNum)

Public Justice, PC

Law Firm