

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

UNITED STATES OF AMERICA, *et al.*,

Plaintiffs,

v.

GOOGLE LLC,

Defendant.

Case No. 1:20-cv-03010-APM
HON. AMIT P. MEHTA

STATE OF COLORADO, *et al.*,

Plaintiffs,

v.

GOOGLE LLC,

Defendant.

Case No. 1:20-cv-03715-APM
HON. AMIT P. MEHTA



**PLAINTIFF STATES' REPLY IN SUPPORT OF THEIR
MOTION FOR SANCTIONS AGAINST GOOGLE, LLC AND
AN EVIDENTIARY HEARING TO DETERMINE APPROPRIATE RELIEF**

Plaintiff States submit this reply in support of the motion filed by Plaintiff States, ECF No. 496, and United States, ECF No. 495, as well as its related Reply, ECF No. 571. To avoid duplication this Reply is necessarily brief and Plaintiff States adopt the argument of the United States.

Google's opposition simply fails to address the core of Plaintiffs States' motion. Google employees intentionally shifted relevant business discussions to communication methods they knew would delete in 24 hours to circumvent Google's own litigation holds and discovery obligations. Google encouraged this conduct by creating a culture of communicating in chats

that would be destroyed even with the existence of a litigation hold. Google failed to take reasonable steps to monitor the effectiveness of its litigation hold and ensure employees were abiding by its terms. As a result, Google failed to ensure that its litigation responsibilities were fulfilled and thus permitted the spoliation of relevant materials.

Google's efforts to distract the Court from the nature and magnitude of its misconduct fail. Instead of confronting its conduct, Google points to various representations over the course of the governments' investigations and litigation to obscure this reality and argue that Plaintiffs' motion is untimely. However, the representations that Google points to merely exemplify that Google misled Plaintiff States by representing that it had put in place systems to preserve chats pursuant to its litigation hold.¹ For example, Google refers to an investigatory sworn statement in an effort to show that Plaintiff States were on notice of Google's chat preservation policy. ECF No. 529 at 11-12; *see also* Google Ex. 9. However, Google omits later parts of the testimony in which the witness indicates that she did not delete documents because of Google's litigation hold. Ex. A, E. Reid CID Tr. at 261, Nov. 16, 2020 ("I am on 'lit hold' perpetually. So I don't delete documents."). Plaintiff States' reliance on these representations cannot now be used to shield Google from the consequences of its abject failure to preserve relevant information.

Contrary to this representation, it is now abundantly clear that Google built a chat preservation system that allowed and encouraged employees to ignore discovery preservation obligations and hide substantive communications in "history off" chats. Until Google's conduct

¹ *See e.g.*, Google Ex. 8, at -4 ("Once an employee is put on a legal hold, however, 'on the record' [chats] are preserved for the duration of the legal hold. Google instructs custodians on a legal hold to preserve relevant materials, including an instruction to preserve relevant materials, including an instruction to preserve relevant [chats] by putting those conversations 'on-the-record' on a message-by-message basis.").

became public through the proceedings in *Epic*², Plaintiff States were unaware of Google’s deletion of relevant chats despite the explicit duty to preserve materials.

Plaintiff States’ preliminary review of Google’s very recent production of chats in this case that were originally produced in the *Epic* case has already identified a number of chats that reinforces the conclusion that Google intentionally destroyed sensitive communications about matters likely at the heart of this case. Google employees regularly and intentionally diverted to “history off” chat conversations about Google’s anticompetitive activities – specifically to ensure that those chats would be destroyed. Google’s conduct prejudiced Plaintiff States. The newly produced chats illuminate a company-wide culture of shielding communications from discovery. In one chat dated October 12, 2021, long after Google implemented its litigation hold, Google CEO Sundar Pichai began discussing a substantive topic, and then immediately wrote: “also can we change the setting of this group to history off.” Ex. B, GOOG-DOJ-32680443 at -0443. There is only one plausible explanation for wanting to change the setting to “history off” – to avoid a preserved record of the communication.

Plaintiff States now know that many Google employees, including those in leadership roles like Mr. Pichai, routinely opted to engage in “history off” chats to hold sensitive conversations, even though they knew they were subject to legal holds that require the retention of relevant business discussions. The facts demonstrate that Google routinely destroyed chats with the intent to deprive Plaintiff States and the United States access to these documents as the

² *Epic Games, Inc. v. Google, LLC*, No. 3:20-cv-5671, as consolidated, *In Re: Google Play Store Antitrust Litigation*, No. 3:21-md-2981, and including *In re Google Play Consumer Antitrust Litigation*, Case No. 3:20-cv-05761-JD, *State of Utah et al. v. Google LLC et al.*, Case No. 3:21-cv-05227-JD, *Match Group, LLC et al. v. Google LLC et al.*, Case No. 3:22-cv-02746-JD (together, “*Epic*”).

law requires. As one Google employee notes, “history is a liability[.]” Ex. C, GOOG1-00013084 at -3085.

I. Google’s Chat Destruction Policy Was Not Reasonable And Prejudiced Plaintiff States

Google’s failure to institute and monitor an effective litigation hold for chats was unreasonable in violation of Rule 37(e). Google took no action to ensure that document custodians retained relevant chat messages, aside from its litigation hold notice. “A party's discovery obligations do not end with the implementation of a ‘litigation hold’ – to the contrary, that's only the beginning. Counsel must oversee compliance with the litigation hold, monitoring the party's efforts to retain and produce the relevant documents.” *Zubulake v. UBS Warburg LLC*, 229 F.R.D. 422, 432 (S.D.N.Y. 2004); *see also DR Distributors, LLC v. 21 Century Smoking, Inc.*, 513 F. Supp. 3d 839, 933 (N.D. Ill. 2021). Here, Google decided not to monitor its litigation hold, or ignored the fact that employees were evading it. *See* Ex. D, GOOG1-00013046 at -3049. Either way, Google’s inaction led to widespread spoliation of chats. *See* ECF No. 495-1 at 14 (citing Ex. 1, Tr. 46:8-17, 132:22-24).

Google’s argument that it exercised reasonable preservation practices ignores the facts and Google’s legal duties. Rule 37(e)(2) requires a party to preserve electronic data and to not allow that evidence to be destroyed by an auto-delete system, or even worse, the intentional acts of its employees. *See, e.g., DR Distribs.*, 513 F. Supp. 3d at 933 (litigant should disable auto-delete functions to meet preservation obligations); *Doe v. Wesleyan Univ.*, 2022 WL 2656787, at *15-16 (D. Conn. July 8, 2022) (passive destruction of electronic records sanctionable).

In light of Google’s failure to preserve these communications, Google attempts to argue that chats only contained non-substantive information and hence there should be no harm to serial deletion of chats. *See* ECF No. 529 at 6. But this argument is belied by the facts

ascertained thus far and should be tested by the limited discovery that Plaintiff States and United States have requested. Chats and emails show that many Google employees adopted a strategy to evade document preservation and move substantive discussions to “history off” chats.

Moreover, the content of the chat goes to, at most, the scope of the remedy but not to whether a violation of Rule 37(e) occurred. *See United States v. Carolina Liquid Chemistries, Corp.*, 2021 WL 5906050, at *2 (N.D. Cal. Dec. 14, 2021) (quoting *Societe Internationale Pour Participations Industrielles et Commerciales, S.A. v. Rogers*, 357 U.S. 197, 208 (1958)) (when parties are sanctioned for “failing to comply with an order.... the willfulness or good faith of [a party], can hardly affect the fact of noncompliance and [is] relevant only to the path which the District Court might follow in dealing with [the party's] failure to comply”).

II. Google Employees Expressed Their Intent to Destroy Chat Conversations Creating an Inference of Presumptive Prejudice to Plaintiff States

Google engages in a slight of hand to suggest that its extensive production of other documents excuses the spoliation of chats. Recently uncovered facts show that Google employees deliberately moved conversations to “history off” chats that they knew would be destroyed. Under Fed. R. Civ. P. 37(e)(2)(A) the Court may presume prejudice because Google intentionally deprived Plaintiff States of potentially valuable information.

Google’s Court-ordered supplemental chat production in *Epic*, which was subsequently produced to Plaintiff States, demonstrates that Google’s actions to destroy evidence was deliberate and that Plaintiff States have suffered significant prejudice as a result. That production consists of chats from legal hold recipients during the pendency of this case and the *Epic* case. A more extensive production of chats from legal hold recipients in this case – particularly witnesses relevant to Plaintiff States’ claims has not occurred; nor is there any indication that such chats were meaningfully preserved. A preliminary review of the chats

produced reveals that contrary to Google’s representations of how Google’s litigation hold should have been implemented, Google employees routinely discussed matters critical to the litigation in “history off” chats to ensure that those conversations would never be disclosed. This limited number of preserved chats also confirms that the Google employees were more candid in destroyed chats than the email correspondence and “history on” chats Google produced. *See, e.g.,* Ex. E, GOOG1-00012944 at -2945 (“Historically (ha) [Google employees] have history off so that [they] can speak (more) freely.”).

By way of example, a Senior Software Engineer pasted a link about how to keep chat “history on” and wrote on March 19, 2021: “am i the only one who is only now finding out about [this].” In response, another Software Engineer wrote: “most times I try to turn it on, the other person turns it straight back off again !!!” The next day, the Senior Software Engineer agreed: “i’ve had other people observe that same thing.” And yet another Software Engineer agreed: “i have also had the experience where i turn on history and it immediately gets turned off.” And a Program Manager wrote: “*If anyone wants to hear horror stories of chat histories being used in depositions at Google ... just ask me and I can speak generally. I used to read that stuff in preparation for litigation. It’s bad news....*” The chat then went silent. Ex. F, GOOG-DOJ-32681357 at 1357-1360 (emphasis added).

As another example, Google’s Head of Support Strategy & Operations, Android OS and Chrome OS, sent others “a reminder if you use privileged and confidential in emails an attorney must be in the To line.” A Manager, Product Operations, asked for the “next best alternative.” She then asked: “[W]hat about pings [*i.e.*, Chats] . . . wondering what is the best way to update the team about confidential topics without having to include an attorney in all comms.” The first employee responded: “History has to be off I believe.” Another employee confirmed: “*yes with*

history off everything gets wiped . . . can confirm based on our last convo with legal given we are on hold for a GC lawsuit . . .” The employee also warned that “*if super sensitive you need to use a GVC [Google Video Chat] because they could look at your recent ping history and that could go into court.*” Ex. D, GOOG1-00013046 at -3048 (emphasis added).

Google should have taken steps beyond the practices that it implemented to ensure that custodians were preserving relevant chats. *Zubulake*, 229 F.R.D. at 432. Google’s policy of relying on individual custodians to take affirmative steps to identify and preserve relevant chats demonstratively failed to preserve relevant evidence.

III. Google’s Spoliation Prejudiced Plaintiff States

Google’s spoliation of evidence occurred during the same time period as Google employees engaged in conversation directly relevant to issues underlying Plaintiff States’ claims. Many substantive factual events in this case took place after duty to preserve triggered in 2019, including Google’s actions with regard to Microsoft and SA360 and Google’s dealings with Specialized Vertical Providers (“SVPs”) relating to access to their data and visibility on the Search Engine Results Page (“SERP”). For example, during this time period, Google engaged in additional actions to limit the visibility of SVPs, *see, e.g.*, Ex. G, Plaintiff States’ Response to Google’s Statement of Material Facts, ECF No. 465-2 at ¶ 115; generated analyses of its SERP on which it now relies to assert a procompetitive justification for the visibility limitations, *id.* at ¶¶ 38, 51; and engaged in substantial discussions with Microsoft about its request that SA360 support new Microsoft Ad features during a time when it was not supporting those features, *id.* at ¶¶ 255-56, 259, 268-69, 272-75, 277-78, 288, 293, 310. Google’s spoliation of chats will leave hidden contemporaneous evidence of Google’s motives, strategy, and plans behind its actions to constrain SVPs and refusal to integrate Microsoft features available in Google’s SA360

advertising tool, as well as the anti-competitive search-distribution agreements that are within Plaintiff States' case.

Google's response does not rebut that substantive documents were destroyed, or that those documents could and should have been retained. Google argues that it produced a lot of other information, which is irrelevant to the issue. Google argues that only a small number (637) of preserved chats were deemed relevant to produce, *see* ECF No. 529 at 2, 34, but that shows the evasion rather than relevance. The logical inference of this small number of chats produced is that many more relevant conversations were destroyed and not produced. Similarly, that chats did not become a focal point of depositions, ECF No. 529 at 17, can be explained by the fact that few chats were preserved and produced.

The few produced chats demonstrate Google's spoliation of evidence was pervasive. For every preserved chat or email where employees discussed turning chat "history off" or taking a discussion "off-line" it is reasonable to infer that there are many more where the employees simply followed a culture of non-compliance that Google carefully cultivated, leaving no trace of discussions that should have been preserved because they were relevant to this case. For example, Google's Finance Director chatted on December 5, 2022, "the DOJ case is making the content very sensitive to share via email these days." Ex. H, GOOG-DOJ-32681229 at-1229.

IV. Plaintiff States Timely Filed Their Motion For Sanctions.

Rule 37(e) does not impose timing requirements and courts enjoy wide discretion in determining the timeliness of a sanctions motion. *Parsi v. Daiouleslam*, 778 F.3d 116, 125 (D.C. Cir. 2015) ("District courts. . . possess broad discretion to impose sanctions for discovery violations under Rule 37."). Plaintiff States timely filed their motion at a point where the scope

and nature of Google’s deception was uncovered.³ The fact that the motion was filed after discovery and summary judgment briefing is a factor that can be considered, but it is not dispositive. *See e.g., GMS Indus. Supply, Inc. v. G&S Supply, LLC*, 2022 WL 853626, *1, *4 (E.D. Va. Mar. 22, 2022) (court granted motion for sanctions filed four months after close of fact discovery); *Goodman v. Praxair*, 632 F. Supp. 2d 494, 509 (D. Md. 2009) (granting motion filed more than five months after discovery, and more than two months after dispositive motions had been fully briefed). Google’s argument that Plaintiff States knew of the destruction of chats and assented to it is untrue. As noted above, Google had represented that litigation holds were in place and were being complied with. That was false and Plaintiff States’ motion was triggered by the revelation that Google employees systematically evaded instructions to preserve chats and Google failed to control or prevent the resultant spoliation.

Yet Google, well aware of this flaw in its system for complying with preservation obligations, failed to monitor or audit compliance with Google’s duty to preserve, leading to rampant spoliation of evidence. Google instead merely reminded employees that they should use their discretion on a chat-by-chat basis to choose whether to put any chat conversations “on-the-record.” Google did not assess if identified custodians systematically left chat “history off” –

³ Not only does Google seek to steer the Court’s attention away from Google’s unlawful conduct, but the cases Google cites are untethered to the circumstances here. *E.g., Long v. Howard Univ.*, 561 F. Supp. 2d 85, 91 (D.D.C. 2008) (denial of a post-trial motion for sanctions under Rule 37(c) filed two years after discovery closed and over three years after receiving one of the withheld documents); *THEC Int’l-Hamdard Cordova Grp. Nazari Constr. Co., Ltd. Joint Venture v. Cohen Mohr, LLP*, 301 F. Supp. 3d 1, 12 (D.D.C. 2018) (denial of plaintiffs’ sanctions motion filed over a year after voluntary dismissal of the case, nearly two years after the alleged violations, and only after the defendants opposed plaintiffs’ motion to vacate, and where the plaintiffs did not argue they were unaware of the defendant’s misconduct prior to the voluntary dismissal of the case); *Emery v. Harris*, 2014 WL 710957, *6 (E.D. Cal. Feb. 21, 2014) (denial of plaintiff’s motion because the plaintiff knew for nearly three years that the evidence was destroyed and offered no explanation for why he filed the motion days before trial); *Equate Media, Inc. v. Suthar*, 2022 WL 2101710 (C.D. Cal. Feb. 2, 2022) (denial of plaintiffs’ motion on the merits, not because it was untimely).

despite the duty to preserve. Google did not change the default and Google did not automatically save chats until February 2023. Instead, Google turned a blind eye to custodians routinely moving sensitive conversations to “history off” chats to evade production. None of this was disclosed.

V. The Court Should Conduct A Hearing To Determine The Scope Of Appropriate Sanctions Against Google.

As noted in Plaintiff States’ memorandum in support, ECF No. 496 at 10, the Court has broad discretion in assessing sanctions. *Feld v. Fireman’s Fund Ins. Co.*, 300 F.R.D. 9, 14 (D.D.C. 2014). Plaintiff States do not seek further discovery related to the merits of the liability proceeding. That discovery is closed and destroyed chats cannot be recovered. Nor do Plaintiff States seek to extend any summary judgment deadlines or the trial date.⁴ An evidentiary hearing is necessary, supported by limited and focused discovery, to establish the record of Google’s conduct related to spoliation and to provide a basis for the Court to determine appropriate sanctions. The limited discovery outlined in the United States’ motion will support this determination. ECF No. 495 at 29-31.

Discovery related to spoliation is limited, focusing on declarations regarding custodians’ actual chat retention practices, a 30(b)(6) deposition about Google’s policies, and the litigation hold used by Google as a defense. *Id.* This limited discovery will facilitate resolution of this issue and more efficiently permit a presentation to the Court of the relevant facts.

CONCLUSION

For these reasons, and the reasons set forth in both Plaintiff States’ and the United States’ motions, Plaintiff States respectfully request that the Court find that Google violated Rule 37(e)

⁴ Plaintiff States do, however, believe it is appropriate for the Court to first decide this motion before issuing any decision on Google’s pending motion for summary judgment.

and hold an evidentiary hearing to fashion an appropriate remedy.

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1900 Kanawha Boulevard, East
Building 6, Suite 402
P.O. Box 1789
Charleston, WV 25305
304-558-8986
Douglas.l.davis@wvago.gov

Counsel for Plaintiff West Virginia

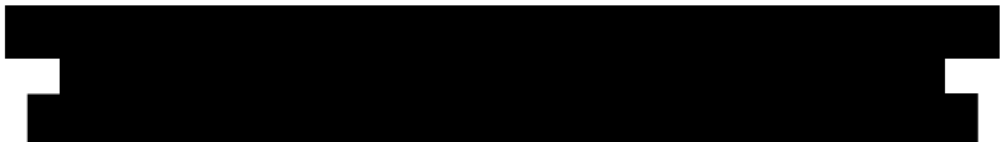
FOR PLAINTIFF STATE WYOMING:

Benjamin Peterson
Wyoming Attorney General's Office
2320 Capitol Avenue
Kendrick Building
Cheyenne, WY 82002
(307) 777-6397
Benjamin.peterson2@wyo.gov

Counsel for Plaintiff Wyoming



Exhibit A



In the Matter Of:

Re: Google 60-516110-0004

ELIZABETH HAMON REID

November 16, 2020



Elizabeth Hamon Reid - November 16, 2020

261

1 Q. Okay. And why is it that this document
2 was one that you had stored?

3 A. Let me go look at the meta -- you mean
4 why was it shared with me, or why did I continue
5 to store it?

6 Q. Right. The latter. Why did you
7 continue to store it?

8 A. I am on "lit hold" perpetually. So I
9 don't delete documents.

10 Q. Okay.

11 MR. KAUFMANN: I am done with that
12 document.

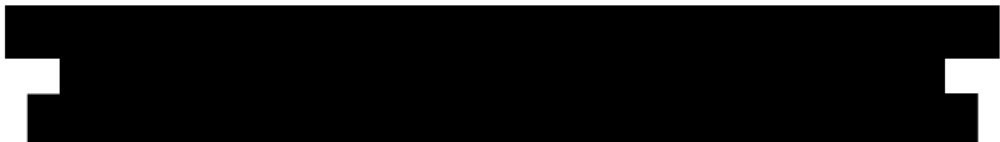
13 And if we could pull up Tab 12,
14 please, Jeni. This is a little bit longer
15 document so it may take us a little while to
16 load. While we are waiting for this to load, why
17 don't we go to the first page of the deck, Jeni,
18 just so I can ask a couple of background
19 questions.

20 BY MR. KAUFMANN:

21 Q. So you'll note that this is a deck
22 that's identified as building a unified
23 experience for local serves at Google. And it
24 has "GLS" and "Geo." It's dated November 27th,
25 2018. First of all, what is "GLS"?



Exhibit B



Sent: Tue 10/12/2021 4:53:17 AM (UTC)
From: sundar@google.com
To: sundar@google.com, emilysinger@google.com
Subject: AAAARxi46TM-MBI-THREADED:SBgcVRDjcBQ%%2021-10-11T09:53:16.093967

sundar@google.com 2021-10-12T04:53:16.093Z

Need the link for my leaders circle tomorrow

sundar@google.com 2021-10-12T04:53:28.379Z

also can we change the setting of this group to history off

Deleted on2021-10-12T04:53:37.199Z

also can we change the setting of this group to history off

sundar@google.com 2021-10-12T04:53:29.309Z

thanks

emilysinger@google.com 2021-10-12T04:53:40.021Z

Sure: here is link...

emilysinger@google.com 2021-10-12T04:53:45.767Z

https://docs.google.com/document/d/16lxXL_k0ok6NhDX0nTZw-tr76LZpgODBp_CfqTdotTs/edit?resourcekey=0-_CNmvgHKQGULhTywnpcXgg

https://drive.google.com/open?id=16lxXL_k0ok6NhDX0nTZw-tr76LZpgODBp_CfqTdotTs
https://docs.google.com/document/d/16lxXL_k0ok6NhDX0nTZw-tr76LZpgODBp_CfqTdotTs/edit?resourcekey=0-_CNmvgHKQGULhTywnpcXgg

sundar@google.com 2021-10-12T04:55:19.177Z

thanks

sundar@google.com 2021-10-12T05:17:38.026Z

the third question is a bit of a mess

sundar@google.com 2021-10-12T05:17:58.544Z

not fully clear - as it covers a lot and long meandering answer which not clear too

sundar@google.com 2021-10-12T05:18:11.582Z

am talking about google apps , building for companies, future of work etc

sundar@google.com 2021-10-12T05:18:17.418Z

the other three are good

emilysinger@google.com 2021-10-12T05:18:25.635Z

Ok will take a look and try to restructure to make cleare

emilysinger@google.com 2021-10-12T05:18:27.855Z

emilysinger@google.com 2021-10-12T05:59:17.394Z

I simplified the answer for Q # 3 considerably. Just two parts to it now, both of which will be familiar themes. Sorry it took a bit to get there.

sundar@google.com 2021-10-12T06:09:06.559Z

Thanks!



Exhibit C



Exhibit 31

Sent: Mon 8/30/2021 9:26:22 PM (UTC)
From: ronaldho@google.com
To: ronaldho@google.com, shenazz@google.com, bbarbello@google.com, arpitmidha@google.com, charmained@google.com, lizama@google.com
Subject: AAAAIXI-HA8-MBI-THREADED:_LjrtxCDoU%%2021-08-30T02:26:21.704543
image.png

ronaldho@google.com 2021-08-30T21:26:21.704Z

@Shenaz Zack thoughts on threading v history/

shenazz@google.com 2021-08-30T21:30:13.654Z

Ah the dilemma of choosing between no history vs threads. Why can't we have both 🤔

shenazz@google.com 2021-08-30T21:32:38.216Z

image.png

shenazz@google.com 2021-08-30T21:33:28.723Z

Though don't have strong feelings about threading vs history. So can go either way

bbarbello@google.com 2021-08-30T21:41:03.442Z

Threading is more important and history is a liability

ronaldho@google.com 2021-08-30T21:51:12.779Z

haha brandon, not helpful!

ronaldho@google.com 2021-08-30T21:51:33.922Z

i'm feeling like:

ronaldho@google.com 2021-08-30T21:51:36.272Z

history > threads

arpitmidha@google.com 2021-08-30T21:52:16.741Z

Seems like.. the more we chat the more threads we need and the more history on gets dangerous 😊

ronaldho@google.com 2021-08-30T21:52:29.750Z



arpitmidha@google.com 2021-08-30T21:53:07.184Z

so.. chat less? and we don't need history and threads? 😊

arpitmidha@google.com 2021-08-30T21:53:24.046Z

p.s. all stupid logic

ronaldho@google.com 2021-08-30T21:53:27.598Z

lol - get back to work

arpitmidha@google.com 2021-08-30T21:53:32.813Z

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yes.

arpitmidha@google.com 2021-08-30T21:53:48.638Z

keep as is and go do your optional perf cycle

charmained@google.com 2021-08-30T21:54:19.680Z

On the side of caution I'd say let's get rid of history

arpitmidha@google.com 2021-08-30T21:54:40.712Z

Says the Privacy lead

arpitmidha@google.com 2021-08-30T21:54:55.614Z

on cue

charmained@google.com 2021-08-30T21:55:37.270Z

:P

ronaldho@google.com 2021-08-30T21:59:33.593Z

ok we'll go back to history-less (and consequently threadless). @all shout if you disagree. we'll go back to the previous room and we'll re-invite folks who had left.

shenazz@google.com 2021-08-30T22:04:13.201Z

<https://b.corp.google.com/issues/161935374> hopefully this FR gets traction some day

<https://b.corp.google.com/issues/161935374>

lizama@google.com 2021-08-30T22:04:17.884Z

also chat with threads is a second inbox now

ronaldho@google.com 2021-08-30T22:05:23.662Z

they replied on the bug: 'Sure, it's large project with a lot of moving pieces. Dogfood is optimistically scheduled for end of Q3.'

shenazz@google.com 2021-08-30T22:05:56.714Z

so we shall revive this room in 2021

ronaldho@google.com 2021-08-30T22:08:46.696Z

ok let's go back to the old room: <https://mail.google.com/chat/u/0/#chat/space/AAAArwBi-co>

<https://mail.google.com/chat/u/0/#chat/space/AAAArwBi-co>



Exhibit D



Exhibit 23

Sent: Wed 3/9/2022 1:42:38 AM (UTC)
From: desuri@google.com
To: desuri@google.com, bomeng@google.com, allieschultz@google.com, aidrees@google.com, billbr@google.com, santiagoscully@google.com, kengrayson@google.com
Subject: AAAAefb9x_s-MBI-FLAT:2022-03-08T06:42:37.471343

desuri@google.com 2022-03-09T01:42:37.471Z

Hey all - quick update on UA/RU

desuri@google.com 2022-03-09T01:43:44.566Z

Visa/Mastercard are expected to start failing in RU tomorrow so we are working with the Play PA on a user facing HC answering FAQs for what users can expect when transactions start to fail

desuri@google.com 2022-03-09T01:45:02.370Z

we just received this guidance so are starting work on the draft now, but @Bo Meng @Allie Schultz @Bill Kotzman will loop you in for feedback once we have a draft

desuri@google.com 2022-03-09T01:45:28.921Z

need to get the article published by tomorrow AM

bomeng@google.com 2022-03-09T01:50:28.955Z

Ok thanks

allieschultz@google.com 2022-03-09T01:53:16.539Z

Thanks Deepti for the update 👍👍

desuri@google.com 2022-03-09T02:47:00.691Z

just sent over an email update with some latest developments. Key one being Play stopping commercial operations in Russia is still on the table and so we will be preparing two versions of the HC article for tomorrow

bomeng@google.com 2022-03-09T03:51:10.498Z

any sense when we'll find out what we're doing?

desuri@google.com 2022-03-09T03:52:27.433Z

no , but Visa/MC are shutting down tomorrow for sure

desuri@google.com 2022-03-09T03:52:41.537Z

so atleast one version of the HC article goes live tomorrow

desuri@google.com 2022-03-09T03:52:57.719Z

if the full play commerical shutdown does happen, wont be before monday

aidrees@google.com 2022-03-09T16:55:11.401Z

Hi all, just a reminder if you use privileged and confidential in emails an attorney must be in the To line. We just had another crash course for Android with all of the p counsels

desuri@google.com 2022-03-09T17:39:38.393Z

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GOOG1-00013047

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

GOOG-PLAY5-000389316

billbr@google.com 2022-03-09T17:50:15.142Z

Not sending the mail if it's privileged is the only alternative

billbr@google.com 2022-03-09T17:50:59.179Z

I think we discussed this in managers meeting a few weeks ago.

desuri@google.com 2022-03-09T17:53:43.488Z

sg thanks!

desuri@google.com 2022-03-09T17:54:41.447Z

what about pings?

desuri@google.com 2022-03-09T17:55:31.686Z

wondering what is the best way to update the team about confidential topics without having to include an attorney in all comms

aidrees@google.com 2022-03-09T18:00:06.275Z

History has to be off I believe

aidrees@google.com 2022-03-09T18:00:44.144Z

But we should confirm with Chris Mooney

santiagoscully@google.com 2022-03-09T18:13:33.334Z

yes with history off everything gets wiped

santiagoscully@google.com 2022-03-09T18:13:52.314Z

can confirm based on our last convo with legal given we are on hold for a GC lawsuit

santiagoscully@google.com 2022-03-09T18:14:28.964Z

but it does exist for 24-48 hs so if super sensitive you need to use a GVC because they could look at your recent ping history and that could go into court

santiagoscully@google.com 2022-03-09T18:15:45.846Z

also hopefully it won't come to this for any of us. But there is a big difference when it is an external lawsuit vs internal

santiagoscully@google.com 2022-03-09T18:15:56.284Z

for internal anyone you ping can take a screenshot of it and use it against you

santiagoscully@google.com 2022-03-09T18:16:31.310Z

so be very careful when communicating any sensitive topics over ping with reports

santiagoscully@google.com 2022-03-09T18:16:45.032Z

against*

super useful, thanks all !

billbr@google.com 2022-03-09T20:50:11.086Z

Ward reminded me that we have a manager's meeting scheduled late in the afternoon before a Global Reset Day. I waited to hear passdowns for this week before canceling... good news: neither PS nor ES had meetings so there are no passdowns so I'm going to cancel!

kengrayson@google.com 2022-03-09T20:51:37.693Z

SGTM - only updates might be on RU/UA situation which is still unfolding, but our teams are pretty well connected there via ping / e-mail and daily stand-ups

billbr@google.com 2022-03-09T20:53:48.934Z

There were some topics in Leads but they can wait and are normal-ish. They were (1) review of gUP top level OKRs tied to our mission (2) WBR discussion (3) people ops news which was most interesting and then (4) yes, Russia/Ukraine. The people who need to know about this are in the loop already. Wayne talked a bit (only 5 min of the meeting) about Project Ajax which is the vendor ops view of the affected area.

desuri@google.com 2022-03-09T20:55:06.509Z

regarding RU/UA, if anyone has questions feel free to join the daily stand-up at 9am PST (ping me to get added)

billbr@google.com 2022-03-09T20:58:57.992Z

re: people ops, nothing earth shattering but the highlights were: (1) no central RTO planning, Shelly will ask site champs to do something for their office like a little welcome event (2) chameleon continues to be reviewed, no decisions yet (3) gUP GG results seem similar to last year (mgr, mission strong, wellness less strong) with some slight improvement. Shelly will compile with Pulse and we'll begin work. I don't think anyone has shared theirs besides me yet, Ian wants to review more first and probably give some observations in his note (like PS did) (4) gUP interview cancellation rate is too high at 21%, should be 10% max, (5) apparently there are 35 available SCs ready for placement?! post your new positions and interview them! this does not include the cloud layoffs of PSEs, we are getting those names as well. I'll paste this into the meeting notes and we can review next week if there are questions

billbr@google.com 2022-03-09T21:01:01.883Z

also Rob Guerini is leaving the company, use Leslie Fitzpatrick for now

billbr@google.com 2022-03-09T21:03:23.409Z

if anything comes out of PV Leads I will add

santiagoscully@google.com 2022-03-09T22:14:20.677Z

Thanks Bill

santiagoscully@google.com 2022-03-09T22:15:37.141Z

one thing to call out about the pipeline is that more than half are L5s, and there are almost no PST folks

santiagoscully@google.com 2022-03-09T22:16:27.642Z

I have interviewed a couple but when I tell them product is in PST and there might be some late meetings most people politely decline. Which makes sense, but they should add more PST folks to the pipeline

bomeng@google.com 2022-03-09T22:16:31.744Z

GOOG1-00013049

Yep the L5 PSM pipeline is great and that's about it

santiagoscully@google.com 2022-03-09T22:16:50.424Z

L5 East Cost PSM pipeline is great 😊

billbr@google.com 2022-03-09T22:16:58.171Z

we have 35 L5 candidates?

billbr@google.com 2022-03-09T22:17:00.410Z

wow

santiagoscully@google.com 2022-03-09T22:17:13.316Z

21 of the 35

billbr@google.com 2022-03-09T22:17:30.220Z

that seems like a miscalculation by someone unless we have a big presence out east

santiagoscully@google.com 2022-03-09T22:17:32.219Z

https://docs.google.com/spreadsheets/d/1j_IcekvioOXxVsawiL5x2oJWAEH07PplhNo1cIhE2nE/edit#gid=0

https://docs.google.com/spreadsheets/d/1j_IcekvioOXxVsawiL5x2oJWAEH07PplhNo1cIhE2nE/edit#gid=0

https://drive.google.com/open?id=1j_IcekvioOXxVsawiL5x2oJWAEH07PplhNo1cIhE2nE

santiagoscully@google.com 2022-03-09T22:17:43.004Z

here is the list for those that want to check it out.

allieschultz@google.com 2022-03-09T22:18:51.206Z

on the TSC front, the resourcing jam is going great, almost 130 folks for the team to reach out to

allieschultz@google.com 2022-03-09T22:18:56.359Z

Who all has TSC hc?

billbr@google.com 2022-03-09T22:19:22.014Z

that's amazing. you will make good friends with marcio if we can't take them

billbr@google.com 2022-03-09T22:19:42.113Z

on our team it is you, kranti and matt

allieschultz@google.com 2022-03-09T22:20:49.086Z

thanks all for supporting this! Paul and Kacey said this was the most well attended one they've had 🎉

allieschultz@google.com 2022-03-09T23:52:42.792Z

Since we aren't having our mgr meeting, just FYI, the decision has been made to cancel the offsite in April. Please hold off on telling the team, official comms will come out tomorrow to the team but wanted to give everyone the heads up before the email goes out

aidrees@google.com 2022-03-09T23:54:21.382Z

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billbr@google.com 2022-03-10T00:10:39.095Z

re: formal comms, is that in the form of an email from me? ward is pinging me now about this. or are you sending something as well? i can send an RTO update. I think Ian will mention it in his comms this week, and I can forward with what it means for us and mention how/when we will get together

billbr@google.com 2022-03-10T00:10:56.225Z

on that topic, you saw in my notes from today that shelly is reaching out to site leads to plan local events

billbr@google.com 2022-03-10T00:11:24.194Z

separately, this is what I heard from GTM when I asked about budget and all-team gup-wide get togethers:

billbr@google.com 2022-03-10T00:12:55.786Z

"in general, I would say "it depends on the objective". There is in many teams, before and after COVID, an eagerness to get together, but the question is for what purpose. Considering the (hopefully) upcoming arrival of new VPs, the additional workload summits create (online or in person), and COVID for many still being a real thing, I think you would need a very compelling reason to bring large groups together in the next months. Leadership teams, np, again, if there is a good reason."

billbr@google.com 2022-03-10T00:13:02.527Z

I thought it was a good response.

billbr@google.com 2022-03-10T00:14:56.381Z

It also raises the idea of a manager in-person session, and I'm putting a proposal into go/guppe-manager that we can discuss next week

<http://goto.google.com/guppe-manager>



Exhibit E



Exhibit 3

Sent: Wed 7/14/2021 9:07:00 PM (UTC)
From: samitolvanen@google.com
To: samitolvanen@google.com, wfrichar@google.com, jgalenson@google.com, brarcher@google.com, mmaurer@google.com
Subject: AAAAo8V_rtM-MBI-THREADED:zT08xHC1VLA%%%2021-07-14T02:06:59.068927

[image.png](#)
[image.png](#)
[image.png](#)
[image.png](#)

samitolvanen@google.com 2021-07-14T21:06:59.068Z

@Nathan Huckleberry Welcome also to the Platform Chat!
I'm sure there's a perfectly good explanation for the name of the chat room, but as you can see, this one has history on.

Deleted on2023-01-05T21:06:59.068Z

@Nathan Huckleberry Welcome also to the Platform Chat!
I'm sure there's a perfectly good explanation for the name of the chat room, but as you can see, this one has history on.

wfrichar@google.com 2021-07-14T21:07:53.545Z

The people in ZUR were missing out on Friday conversations.

Deleted on2023-01-05T21:07:53.545Z

The people in ZUR were missing out on Friday conversations.

wfrichar@google.com 2021-07-14T21:07:58.334Z

so we turned history on.

Deleted on2023-01-05T21:07:58.334Z

so we turned history on.

wfrichar@google.com 2021-07-14T21:08:24.753Z

Historically (ha) we have history off so that we can speak (more) freely.

Deleted on2023-01-05T21:08:24.753Z

Historically (ha) we have history off so that we can speak (more) freely.

jgalenson@google.com 2021-07-14T21:09:16.820Z

Huh, room names have a pretty short word limit.

Deleted on2023-01-05T21:09:16.820Z

Huh, room names have a pretty short word limit.

wfrichar@google.com 2021-07-14T21:10:46.382Z

old good hangouts > new bad chat

Deleted on2023-01-05T21:10:46.382Z

old good hangouts > new bad chat

wfrichar@google.com 2021-07-14T21:11:10.258Z

GOOG1-00012945

Deleted on2023-01-05T21:11:10.258Z

although new bad chat has some nice features.

wfrichar@google.com 2021-07-14T21:11:15.965Z

threads, for example

Deleted on2023-01-05T21:11:15.965Z

threads, for example

wfrichar@google.com 2021-07-14T21:11:21.659Z

but lacks easter eggs.

Deleted on2023-01-05T21:11:21.659Z

but lacks easter eggs.

brarcher@google.com 2021-07-14T21:16:20.240Z

you say "nice features" then mention threads as an example...

Deleted on2023-01-05T21:16:20.240Z

you say "nice features" then mention threads as an example...

jgalenson@google.com 2021-07-14T21:17:47.662Z

Linear non-nested threads...

Deleted on2023-01-05T21:17:47.662Z

Linear non-nested threads...

wfrichar@google.com 2021-07-14T21:17:49.093Z

You don't like them?

Deleted on2023-01-05T21:17:49.093Z

You don't like them?

wfrichar@google.com 2021-07-14T21:18:00.191Z

Yeah, okay.

Deleted on2023-01-05T21:18:00.191Z

Yeah, okay.

wfrichar@google.com 2021-07-14T21:18:14.714Z

"topics, more or less" would be a better description.

Deleted on2023-01-05T21:18:14.714Z

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GOOG1-00012946

wfrichar@google.com 2021-07-14T21:18:35.870Z

even the new google groups (g/) took away threading

Deleted on2023-01-05T21:18:35.870Z

even the new google groups (g/) took away threading

jgalenson@google.com 2021-07-14T21:18:40.173Z

But disorganized because you have to keep randomly scrolling up through conversations to see older ones.

Deleted on2023-01-05T21:18:40.173Z

But disorganized because you have to keep randomly scrolling up through conversations to see older ones.

brarcher@google.com 2021-07-14T21:18:54.672Z

^^^ This, so much this

Deleted on2023-01-05T21:18:54.672Z

^^^ This, so much this

wfrichar@google.com 2021-07-14T21:19:25.282Z

yes, but if I ask a question (in a more work-oriented room), I can see the more relevant replies in one chunk.

Deleted on2023-01-05T21:19:25.282Z

yes, but if I ask a question (in a more work-oriented room), I can see the more relevant replies in one chunk.

wfrichar@google.com 2021-07-14T21:19:37.087Z

not interspersed with all the other questions.

Deleted on2023-01-05T21:19:37.087Z

not interspersed with all the other questions.

brarcher@google.com 2021-07-14T21:19:57.726Z

`even the new google groups (g/) took away threading`

image.png

Deleted on2023-01-05T21:19:57.726Z

`even the new google groups (g/) took away threading`

image.png

jgalenson@google.com 2021-07-14T21:20:01.607Z

Yeah, it's just hard to go back for older things (or follow two threads at once).

Deleted on2023-01-05T21:20:01.607Z

Yeah, it's just hard to go back for older things (or follow two threads at once).

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GOOG1-00012947

Also on mobile I've no idea what is going on

Deleted on2023-01-05T21:20:12.565Z

Also on mobile I've no idea what is going on

jgalenson@google.com 2021-07-14T21:20:28.492Z

That's true for me generally on mobile.

Deleted on2023-01-05T21:20:28.492Z

That's true for me generally on mobile.

wfrichar@google.com 2021-07-14T21:20:37.907Z

same

Deleted on2023-01-05T21:20:37.907Z

same

wfrichar@google.com 2021-07-14T21:21:18.361Z

Does this guy work at Google now?

image.png

Deleted on2023-01-05T21:21:18.361Z

Does this guy work at Google now?

image.png

mmaurer@google.com 2021-07-14T21:22:33.205Z

My biggest annoyance with threaded chat is that it contracts the history, and if you click the expander button for context, it expands only *part* of the thread, and chooses the most recent part.

Deleted on2023-01-05T21:22:33.205Z

My biggest annoyance with threaded chat is that it contracts the history, and if you click the expander button for context, it expands only *part* of the thread, and chooses the most recent part.

mmaurer@google.com 2021-07-14T21:22:50.044Z

99% of the time when I press that button it is "I have missed this thread and want to read it from the beginning to understand what's goin gon"

Deleted on2023-01-05T21:22:50.044Z

99% of the time when I press that button it is "I have missed this thread and want to read it from the beginning to understand what's goin gon"

jgalenson@google.com 2021-07-14T21:23:12.903Z

Sometimes it seems to expand the most recent part and sometimes the oldest part? I don't quite understand it...

Deleted on2023-01-05T21:23:12.903Z

CONFIDENTIAL

GOOG1-00012948

Sometimes it seems to expand the most recent part and sometimes the oldest part? I don't quite understand it...

jgalenson@google.com 2021-07-14T21:30:21.736Z

Also whenever I scroll through to read a conversation the mouse keeps accidentally hovering over a name and popping up the little dialog about that person, which is very distracting.

Deleted on2023-01-05T21:30:21.736Z

Also whenever I scroll through to read a conversation the mouse keeps accidentally hovering over a name and popping up the little dialog about that person, which is very distracting.

brarcher@google.com 2021-07-14T21:31:45.327Z

Oh. I rather like the feature about hovering over a name and seeing info.

Deleted on2023-01-05T21:31:45.327Z

Oh. I rather like the feature about hovering over a name and seeing info.

jgalenson@google.com 2021-07-14T21:32:06.720Z

Yes, that's convenient, but not when it pops up all the time when you're trying to read through lots of text.

Deleted on2023-01-05T21:32:06.720Z

Yes, that's convenient, but not when it pops up all the time when you're trying to read through lots of text.

wfrichar@google.com 2021-07-14T21:33:05.920Z

It's never done that for me. Must be you.

Deleted on2023-01-05T21:33:05.920Z

It's never done that for me. Must be you.

wfrichar@google.com 2021-07-14T21:33:10.496Z

"you're holding it wrong"

Deleted on2023-01-05T21:33:10.496Z

"you're holding it wrong"

wfrichar@google.com 2021-07-14T21:33:21.274Z



Deleted on2023-01-05T21:33:21.274Z



jgalenson@google.com 2021-07-14T21:34:17.003Z

I'd believe that.

Deleted on2023-01-05T21:34:17.003Z

I'd believe that.

Are you left-handed?

Deleted on2023-01-05T21:34:46.610Z

Are you left-handed?

wfrichar@google.com 2021-07-14T21:34:56.389Z

I keep the mouse on the RHS of the window when scrolling.

Deleted on2023-01-05T21:34:56.389Z

I keep the mouse on the RHS of the window when scrolling.

wfrichar@google.com 2021-07-14T21:35:33.828Z

I also use the mouse wheel, not the scrollbar.

Deleted on2023-01-05T21:35:33.828Z

I also use the mouse wheel, not the scrollbar.

jgalenson@google.com 2021-07-14T21:41:05.593Z

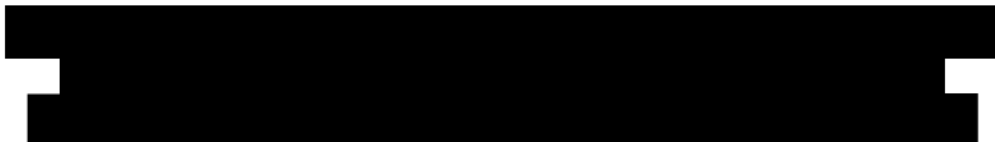
Yeah, I try to keep the mouse in a harmless place like the edge of the window...

Deleted on2023-01-05T21:41:05.593Z

Yeah, I try to keep the mouse in a harmless place like the edge of the window...



Exhibit F



Sent: Fri 3/19/2021 8:19:10 PM (UTC)
From: tkryger@google.com
To: tkryger@google.com, alicesheng@google.com, con@google.com, curriera@google.com, totte@google.com, shreerag@google.com, mwr@google.com, drb@google.com, victoryang@google.com, fennema@google.com, davidsun@google.com
Subject: AAAA5zG19Ck-MBI-THREADED:pnbovkF9vzM%%2021-03-19T01:19:09.685487

tkryger@google.com 2021-03-19T20:19:09.685Z

am i the only one who is only now finding out about <https://groups.google.com/a/google.com/g/chat-history-default-on>

<https://groups.google.com/a/google.com/g/chat-history-default-on>

Deleted on2022-09-10T20:19:09.685Z

am i the only one who is only now finding out about <https://groups.google.com/a/google.com/g/chat-history-default-on>

<https://groups.google.com/a/google.com/g/chat-history-default-on>

alicesheng@google.com 2021-03-19T20:19:30.043Z

omg

Deleted on2022-09-10T20:19:30.043Z

omg

con@google.com 2021-03-19T20:19:34.725Z

!

Deleted on2022-09-10T20:19:34.725Z

!

curriera@google.com 2021-03-19T20:20:06.528Z

wow

Deleted on2022-09-10T20:20:06.528Z

wow

tkryger@google.com 2021-03-19T20:20:25.892Z

(that makes me feel a little better)

Deleted on2022-09-10T20:20:25.892Z

(that makes me feel a little better)

totte@google.com 2021-03-19T20:20:50.418Z

woohooo

Deleted on2022-09-10T20:20:50.418Z

woohooo

totte@google.com 2021-03-19T20:21:01.807Z

suppose I shouldn't join.. but ..

suppose I shouldn't join.. but ..

con@google.com 2021-03-19T20:21:08.388Z

lol

Deleted on 2022-09-10T20:21:08.388Z

lol

totte@google.com 2021-03-19T20:21:11.641Z

but it still gets deleted after n months

Deleted on 2022-09-10T20:21:11.641Z

but it still gets deleted after n months

shreerag@google.com 2021-03-19T20:22:04.408Z

isnt history supposed to be bidirectional though? Like if you join this group does that mean the other person will have history on for your chat as well?

Deleted on 2022-09-10T20:22:04.408Z

isnt history supposed to be bidirectional though? Like if you join this group does that mean the other person will have history on for your chat as well?

tkryger@google.com 2021-03-19T20:22:25.853Z

i think this has the effect of you clicking the button manually for htat chat

Deleted on 2022-09-10T20:22:25.853Z

i think this has the effect of you clicking the button manually for htat chat

shreerag@google.com 2021-03-19T20:22:35.131Z

yea makes sense

Deleted on 2022-09-10T20:22:35.131Z

yea makes sense

mwr@google.com 2021-03-19T22:13:47.152Z

most times I try to turn it on, the other person turns it straight back off again !!!

Deleted on 2022-09-10T22:13:47.152Z

most times I try to turn it on, the other person turns it straight back off again !!!

drb@google.com 2021-03-19T22:28:25.330Z

I've had that happen a few times, but mostly people have been ok with it in my experience. I've lost some very useful links because of default off and had to ask for them again (or copy paste them if I realize quickly enough). Super awkward to get good links on Friday and realize they've been destroyed over the weekend 🤔

I've had that happen a few times, but mostly people have been ok with it in my experience. I've lost some very useful links because of default off and had to ask for them again (or copy paste them if I realize quickly enough). Super awkward to get good links on Friday and realize they've been destroyed over the weekend 🤔

tkryger@google.com 2021-03-20T00:36:14.799Z

Mark, i suspect it is actually a bug in chat that turned it off

Deleted on 2022-09-11T00:36:14.799Z

Mark, i suspect it is actually a bug in chat that turned it off

tkryger@google.com 2021-03-20T00:36:57.818Z

i've had other people observe that same thing when they were talking to me and i hadn't deliberately tried to turn history off

Deleted on 2022-09-11T00:36:57.818Z

i've had other people observe that same thing when they were talking to me and i hadn't deliberately tried to turn history off

tkryger@google.com 2021-03-20T00:37:50.782Z

but you might just be talking about way more secretive stuff than me

Deleted on 2022-09-11T00:37:50.782Z

but you might just be talking about way more secretive stuff than me

victoryang@google.com 2021-03-20T02:04:31.493Z

I've heard an explanation before that the history setting only takes effect after you send a message. Not sure if that's still true but if it is I guess you can call it a bug

Deleted on 2022-09-11T02:04:31.493Z

I've heard an explanation before that the history setting only takes effect after you send a message. Not sure if that's still true but if it is I guess you can call it a bug

victoryang@google.com 2021-03-20T02:04:56.526Z

So essentially you have a race condition with the other person sending messages

Deleted on 2022-09-11T02:04:56.526Z

So essentially you have a race condition with the other person sending messages

alicesheng@google.com 2021-03-20T02:09:54.887Z

i have also had the experience where i turn on history and it immediately gets turned off

Deleted on 2022-09-11T02:09:54.887Z

i have also had the experience where i turn on history and it immediately gets turned off

alicesheng@google.com 2021-03-20T02:10:10.551Z

and then it's awkward especially if you were talking to a stranger

and then it's awkward especially if you were talking to a stranger

fennema@google.com 2021-03-20T02:10:13.406Z

so you need to turn it on and quickly send a message before they do?

Deleted on2022-09-11T02:10:13.406Z

so you need to turn it on and quickly send a message before they do?

alicesheng@google.com 2021-03-20T02:10:24.847Z

and its like uhhh im sure sure if that was on purpose or not

Updated on2021-03-20T02:50:31.166Z

and its like uhhh im not sure if that was on purpose or not

Deleted on2022-09-11T02:10:24.847Z

and its like uhhh im not sure if that was on purpose or not

fennema@google.com 2021-03-20T02:12:13.909Z

weekends shouldn't count for timing out chat messages 😊

Deleted on2022-09-11T02:12:13.909Z

weekends shouldn't count for timing out chat messages 😊

daidsun@google.com 2021-03-20T04:00:21.114Z

If anyone wants to hear horror stories of chat histories being used in depositions at Google ... just ask me and I can speak generally. I used to read that stuff in preparation for litigation. It's bad news 😞

Deleted on2022-09-11T04:00:21.114Z

If anyone wants to hear horror stories of chat histories being used in depositions at Google ... just ask me and I can speak generally. I used to read that stuff in preparation for litigation. It's bad news 😞

HIGHLY CONFIDENTIAL – SEALED FILING

Exhibit H

**Filed under Seal and Subject to Stipulated Protective Order in
United States, et al. v. Google LLC, No. 20-cv-3010-APM
State of Colorado, et al. v. Google LLC, No. 20-cv-3715-APM**

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on March 24, 2023 the materials filed electronically under seal at ECF No. 572 were distributed electronically to counsel identified in the Amended Case Management Order (ECF No. 108-1) and listed below.

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