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8
9 **UNITED STATES DISTRICT COURT**
10 **NORTHERN DISTRICT OF CALIFORNIA**
11 **SAN JOSE DIVISION**

12
13 **IN RE GOOGLE ADWORDS LITIGATION**

Case No. 08-cv-3369-EJD

14 **DECLARATION OF MICHAEL**
15 **HRBACEK IN SUPPORT OF**
16 **PLAINTIFFS' MOTION FOR (1) AN**
17 **AWARD OF ATTORNEYS' FEES, (2)**
18 **REIMBURSEMENT OF COSTS AND**
19 **EXPENSES, AND (3) INCENTIVE**
20 **AWARDS**

21 Date: July 27, 2017
22 Time: 9:00 a.m.
23 Judge: Hon. Edward J. Davila
24 Courtroom: 4, 5th Floor

25 Action Filed: July 11, 2008

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Declaration of Michael Hrbacek in Support of Plaintiffs' Motion for (1) An Award of Attorneys' Fees, (2)
Reimbursement of Costs and Expenses, and (3) Incentive Awards
Case No. 08-cv-03369-EJD

1 I, Michael Hrbacek, hereby declare as follows:

2 1. I am the president of JIT Packaging, Inc. ("JIT Packaging"), a named plaintiff and
3 Class Representative in this action. I make this declaration of my own personal knowledge,
4 information, and belief and, and if called upon to do so, could and would competently testify as set
5 forth herein.

6 2. Before agreeing to bring this lawsuit, JIT Packaging and I considered the likely
7 time commitment involved as a named representative in a class action. JIT Packaging and I
8 concluded that attempting to right what we believed to be an unlawful and unfair practice by
9 Google Inc., and securing relief for others who had similarly been wronged, was the proper course
10 of action.


11 3. Thus, JIT Packaging and I were willing to participate in and accept all of the
12 responsibilities and risks attendant with bringing a representative action.

13 4. JIT Packaging and I communicated with Class Counsel and the additional plaintiffs'
14 counsel in this case on numerous occasions during the course of this litigation to answer questions,
15 provide documents within our possession, verify multiple discovery responses, confirm the
16 accuracy of certain allegations, and generally assist with the litigation of this case. On September
17 14, 2010, I traveled from my home in Bartlett, Illinois to San Francisco in connection with JIT
18 Packaging's full-day deposition, which occurred the following day on September 15, 2010. I
19 testified on behalf of JIT Packaging.

20 5. At no time did JIT Packaging or I condition agreement to the proposed settlement
21 of this matter on receiving any incentive award as a Class Representative.

22 6. JIT Packaging and I reviewed the proposed Class Action Settlement Agreement,
23 including the proposed fee and expense award to my attorneys, and we believe that the settlement
24 reached is an excellent result and is in the best interests of the class.

25 I declare under penalty of perjury under the laws of the United States of America that the
26 foregoing is true and correct. Executed this 4th day of MAY, 2017 in
27 ELGIN, Illinois.

28 
Michael Hrbacek