

**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

JOINT STATUS REPORT

In accordance with the Court's Minute Order of April 19, 2021, the parties in *United States v. Google LLC* and *State of Colorado v. Google LLC* submit the following Joint Status Report to update the Court on the status of discovery and whether any issues remain in dispute.

I. Case No. 1:20-cv-03010

A. Google's Discovery of Plaintiffs

A summary of Google's First Set of Requests for Production and the document productions made by Plaintiffs prior to March 26 are set forth in the parties' earlier Joint Status Reports, including their report dated February 23 (ECF No. 111) and their report dated March 26

(ECF No. 124). On April 9, Plaintiff United States produced its third set of documents in response to Google's First RFP. The production contains approximately 3,700 documents and includes correspondence with subpoena recipients regarding this litigation.

B. Plaintiffs' Discovery of Google

Document and Data Production. A summary of Plaintiffs' First and Second Sets of Requests for Production and the document productions made by Google prior to March 26 are set forth in the parties' earlier Joint Status Reports, including their report dated February 23 (ECF No. 111) and their report dated March 26 (ECF No. 124). Google produced documents in response to Plaintiffs' First and Second RFP on March 28 (150,000 documents), April 5 (196,000 documents), and April 19 (120,000 documents). The three productions contain approximately 467,000 documents. Google produced data in response to Plaintiffs' Second RFP on March 26, March 30, March 31, and April 9. Google attempted to produce additional data in response to Plaintiffs' Second RFP, but the files were too large to accept through electronic transfer. Google indicates that it will now produce that data on a hard drive.

Search Term and Custodial Searches. On April 22, the parties reached final agreement on the search protocol (including search terms, custodians, and dates) to be used by Google for those portions of Plaintiffs' Second RFP that Google has chosen to address with keyword and custodial searches. This agreement includes resolution of the disputes presented by Plaintiffs in the Joint Status Reports dated March 18 (ECF No. 118) and March 26 (ECF No. 124).

Open Discovery Issues. The parties are continuing to meet and confer regarding the non-custodial searches, and data requests, in connection with Plaintiffs' Second RFP. The parties are also continuing to discuss a dispute regarding access to materials under the Case Management Order, but the issue is not yet ripe to present to the Court.

C. The Parties' Discovery of Third Parties

A summary of the third-party discovery requests issued by the parties prior to March 26 is set forth in the parties' earlier Joint Status Reports, including their report dated February 23 (ECF No. 111) and their report dated March 26 (ECF No. 124). Since March 26, Google has issued cross-subpoenas to thirteen third parties, and the parties have subpoenaed and cross-subpoenaed six additional third parties. The parties have issued document subpoenas to approximately 47 third parties in total, and all third parties that have received a subpoena from Plaintiffs have received a cross-subpoena from Google, and vice versa. The parties anticipate that they will continue to issue additional document subpoenas as discovery progresses.

II. Case No. 1:20-cv-03715

A. Google's Discovery of Plaintiffs

A summary of Google's First Set of Requests for Production and the document productions made by Plaintiffs to date are set forth in the parties' earlier Joint Status Reports, including their report dated March 26 (ECF No. 124) and their report dated April 15 (ECF No. 130).

B. Plaintiffs' Discovery of Google

A summary of Plaintiffs' First Set of Requests for Production and the parties' meet and confer discussions prior to April 15 are set forth in the parties' earlier Joint Status Reports, including their report dated March 26 (ECF No. 124) and their report dated April 15 (ECF No. 130). As indicated in the April 15 Joint Status Report, the parties met and conferred on April 21, 2021 to further discuss custodians, search terms, and other topics during the week of April 19. The parties will continue to meet and confer on April 26, 2021.

C. The Parties' Discovery of Third Parties

The parties have issued document subpoenas to approximately 47 third parties. All third parties that have received a subpoena from Plaintiffs have received a cross-subpoena from Google. Similarly, all third parties that have received a subpoena from Google have received a cross-subpoena from Plaintiffs. Both parties anticipate that they will continue to issue additional document subpoenas as discovery progresses.

Dated: April 23, 2021

Respectfully submitted,

By: /s/ Kenneth M. Dintzer
Kenneth M. Dintzer
Jesús M. Alvarado-Rivera
U.S. Department of Justice, Antitrust Division
Technology & Digital Platforms Section
450 Fifth Street NW, Suite 7100
Washington, DC 20530
Kenneth.Dintzer2@usdoj.gov
Counsel for Plaintiff United States

By: /s/ Jonathan R. Carter
Leslie Rutledge, Attorney General
Johnathan R. Carter, Assistant Attorney General
Office of the Attorney General, State of Arkansas
323 Center Street, Suite 200
Little Rock, Arkansas 72201
Johnathan.Carter@arkansasag.gov
Counsel for Plaintiff State of Arkansas

By: /s/ Adam Miller
Matthew Rodriquez, Acting Attorney General
Ryan J. McCauley, Deputy Attorney General
Adam Miller, Deputy Attorney General
Paula Blizzard, Supervising Deputy Attorney

Consumer Protection Division
Matthew Michaloski, Deputy Attorney General
Erica Sullivan, Deputy Attorney General
Office of the Attorney General, State of Indiana
Indiana Government Center South, Fifth Floor
302 West Washington Street
Indianapolis, Indiana 46204
Scott.Barnhart@atg.in.gov

Counsel for Plaintiff State of Indiana

By: /s/ Justin D. Clark
Justin D. Clark, Deputy Director of Consumer
Protection

Daniel Cameron, Attorney General
J. Christian Lewis, Executive Director of
Consumer Protection
Philip R. Heleringer, Assistant Attorney General
Jonathan E. Farmer, Assistant Attorney General
Office of the Attorney General, Commonwealth of
Kentucky
1024 Capital Center Drive, Suite 200
Frankfort, Kentucky 40601
Justind.Clark@ky.gov

Counsel for Plaintiff Commonwealth of Kentucky

By: /s/ Stacie L. Deblieux
Jeff Landry, Attorney General
Stacie L. Deblieux, Assistant Attorney General
Office of the Attorney General, State of Louisiana
Public Protection Division
1885 North Third St.
Baton Rouge, Louisiana 70802
Deblieuxs@ag.louisiana.gov

Counsel for Plaintiff State of Louisiana

By: /s/ Wisam E. Naoum
Dana Nessel, Attorney General
Wisam E. Naoum, Assistant Attorney General
Michigan Department of Attorney General
P.O. Box 30736
Lansing, MI 48909
NaoumW1@michigan.gov

Counsel for Plaintiff State of Michigan

By: /s/ Kimberley G. Biagioli

Kimberley G. Biagioli
Assistant Attorney General
Missouri Attorney General's Office
615 E. 13th Street, Suite 401
Kansas City, MO 64106
Kimberley.Biagioli@ago.mo.gov

Counsel for Plaintiff State of Missouri

By: /s/ Hart Martin

Lynn Fitch, Attorney General
Hart Martin, Special Assistant Attorney General
Crystal Utley Secoy, Assistant Attorney General
Office of the Attorney General, State of
Mississippi
P.O. Box 220
Jackson, Mississippi 39205
Hart.Martin@ago.ms.gov

Counsel for Plaintiff State of Mississippi

By: /s/ Mark Mattioli

Austin Knudsen, Attorney General
Mark Mattioli, Chief, Office of Consumer
Protection
Office of the Attorney General, State of Montana
P.O. Box 200151
555 Fuller Avenue, 2nd Floor
Helena, MT 59620-0151
mmattioli@mt.gov

Counsel for Plaintiff State of Montana

By: /s/ Rebecca M. Hartner

Rebecca M. Hartner, Assistant Attorney General
Alan Wilson, Attorney General
W. Jeffrey Young, Chief Deputy Attorney General
C. Havird Jones, Jr., Senior Assistant Deputy
Attorney General
Mary Frances Jowers, Assistant Deputy Attorney
General
Office of the Attorney General, State of South

By: /s/ Jonathan B. Sallet

Jonathan B. Sallet, Special Assistant
Attorney General (D.C. Bar No. 336198)
Steven Kaufmann, Deputy Attorney General
(D.C. Bar No. 1022365 *inactive*)
Diane R. Hazel, First Assistant Attorney
General (D.C. Bar No. 1011531 *inactive*)
Colorado Office of the Attorney General
1300 Broadway, 7th Floor
Denver, CO 80203
Tel: 720-508-6000
Jon.Sallet@coag.gov
Steve.Kaufmann@coag.gov
Diane.Hazel@coag.gov

Counsel for Plaintiff Colorado

Joseph Conrad
Office of the Attorney General of Nebraska
Consumer Protection Division
2115 State Capitol Building
Lincoln, NE 68509
402-471-3840
joseph.conrad@nebraska.gov

Counsel for Plaintiff Nebraska

Brunn W. (Beau) Roysden III, Solicitor
General
Michael S. Catlett, Deputy Solicitor General
Dana R. Vogel, Unit Chief Counsel
Christopher M. Sloot, Assistant Attorney
General
Arizona Office of the Attorney General
2005 North Central Avenue
Phoenix, Arizona 85004
Tel: (602) 542-3725
Dana.Vogel@azag.gov

Counsel for Plaintiff Arizona

Max Merrick Miller
Attorney General's Office for the State of
Iowa
1305 East Walnut Street, 2nd Floor
Des Moines, IA 50319
(515) 281-5926
Max.Miller@ag.iowa.gov

Counsel for Plaintiff Iowa

Elinor R. Hoffmann
John D. Castiglione
Morgan J. Feder
Office of the Attorney General of New York
28 Liberty Street, 21st Floor
New York, NY 10005
212-416-8513
elinor.hoffmann@ag.ny.gov
john.castiglione@ag.ny.gov
morgan.feder@ag.ny.gov

Counsel for Plaintiff New York

Jonathan R. Marx
Jessica Vance Sutton
North Carolina Department of Justice
114 W. Edenton St.
Raleigh, NC 27603
919-716-6000
Jmarx@Ncdoj.Gov
jsutton2@ncdoj.gov

Counsel for Plaintiff North Carolina

J. David McDowell
Jeanette Pascale
Christopher Dunbar
Office of The Attorney General & Reporter
P.O. Box 20207
Nashville, TN 37202
615-741-3519
david.mcdowell@ag.tn.gov
jenna.pascale@ag.tn.gov
chris.dunbar@ag.tn.gov

Counsel for Plaintiff Tennessee

Tara Pincock
Attorney General's Office Utah
160 E 300 S, Ste 5th Floor
PO Box 140874
Salt Lake City, UT 84114
801-366-0305
tpincock@agutah.gov

Counsel for Plaintiff Utah

Jeff Pickett
Senior Assistant Attorney General
jeff.pickett@alaska.gov
State of Alaska, Department of Law
Office of the Attorney General
1031 W. Fourth Avenue, Suite 200
Anchorage, Alaska 99501
Tel: (907) 269-5100

Counsel for Plaintiff Alaska

Nicole Demers
State of Connecticut Office of the Attorney
General
165 Capitol Avenue, Ste 5000
Hartford, CT 06106
860-808-5202
nicole.demers@ct.gov

Counsel for Plaintiff Connecticut

Michael Andrew Undorf
Delaware Department of Justice
Fraud and Consumer Protection Division
820 N. French St., 5th Floor
Wilmington, DE 19801
302-577-8924
michael.undorf@delaware.gov

Counsel for Plaintiff Delaware

Catherine A. Jackson (D.C. Bar No.
1005415)
Elizabeth Gentry Arthur
David Brunfeld
Office of the Attorney General for the
District of Columbia
400 6th Street NW
Washington, DC 20001
202-724-6514
catherine.jackson@dc.gov
elizabeth.arthur@dc.gov
david.brunfeld@dc.gov

Counsel for Plaintiff District of Columbia

Leevin Taitano Camacho, Attorney General
Fred Nishihira, Chief, Consumer Protection
Division
Benjamin Bernard Paholke, Assistant
Attorney General
Office of the Attorney General of Guam
590 S. Marine Corps Drive, Suite 901
Tamuning, Guam 96913
Tel: (671)-475-3324
bpaholke@oagguam.org

Counsel for Plaintiff Guam

Rodney I. Kimura
Office of the Attorney General of Hawaii
Commerce & Economic Development
425 Queen Street
Honolulu, HI 96813
808-586-1180
rodney.i.kimura@hawaii.gov

Counsel for Plaintiff Hawaii

Brett DeLange
Office of the Idaho Attorney General
Consumer Protection Division
954 W. State St., 2nd Fl.
PO Box 83720
Boise, ID 83720-0010
208-334-4114
brett.delange@ag.idaho.gov

Counsel for Plaintiff Idaho

Erin L. Shencopp
Blake Harrop
Joseph Chervin
Office of the Attorney General of Illinois
100 W. Randolph St.
Chicago, IL 60601
312-793-3891
eshencopp@atg.state.il.us
bharrop@atg.state.il.us
jchervin@atg.state.il.us

Counsel for Plaintiff Illinois

Lynette R. Bakker
Office of the Attorney General of Kansas
Consumer Protection & Antitrust
120 S.W. 10th Avenue, Ste 2nd Floor
Topeka, KS 66612-1597
785-368-8451
lynette.bakker@ag.ks.gov

Counsel for Plaintiff Kansas

Christina M. Moylan
Office of the Attorney General of Maine
6 State House Station
Augusta, ME 04333-0006
207-626-8838
christina.moylan@maine.gov

Counsel for Plaintiff Maine

Schonette J. Walker
Assistant Attorney General
Deputy Chief, Antitrust Division
Office of the Attorney General
swalker@oag.state.md.us

Gary Honick
Assistant Attorney General
Office of the Attorney General
200 St. Paul Place, 19th Floor
Baltimore, MD 21202
410-576-6480
ghonick@oag.state.md.us

Counsel for Plaintiff Maryland

Matthew B. Frank, Assistant Attorney
General Antitrust Division
William T. Matlack, Assistant Attorney
General
Chief, Antitrust Division
Michael B. MacKenzie, Assistant Attorney
General
Deputy Chief, Antitrust Division
Office of the Attorney General
One Ashburton Place, 18th Fl.
Boston, MA 02108
Tel: (617) 727-2200
Matthew.Frank@mass.gov
William.Matlack@mass.gov
Michael.Mackenzie@mass.gov

Counsel for Plaintiff Massachusetts

Justin Moor, Assistant Attorney General
445 Minnesota Street, Suite 1400
St. Paul, Minnesota 55101-2130
(651) 757-1060
justin.moor@ag.state.mn.us

Counsel for Plaintiff Minnesota

Marie W.L. Martin
Michelle Christine Newman
Lucas J. Tucker
Nevada Office of the Attorney General
Bureau of Consumer Protection
100 N. Carson Street
Carson City, NV 89701
775-624-1244
mwmartin@ag.nv.gov
mnewman@ag.nv.gov
ltucker@ag.nv.gov

Counsel for Plaintiff Nevada

Brandon Garod
Office of Attorney General of New
Hampshire
33 Capitol Street
Concord, NH 03301
603-271-1217
brandon.h.garod@doj.nh.gov

Counsel for Plaintiff New Hampshire

Robert Holup
New Jersey Attorney General's Office
124 Halsey Street, 5th Floor
Newark, NJ 07102
239-822-6123
robert.holup@law.njoag.gov

Counsel for Plaintiff New Jersey

Mark F. Swanson
Cholla Khoury
New Mexico Office of the Attorney General
408 Galisteo St.
Santa Fe, NM 87504
Tel: 505.490.4885
mswanson@nmag.gov
ckhoury@nmag.gov

Counsel for Plaintiff New Mexico

Parrell D. Grossman
Director
Elin S. Alm
Assistant Attorney General
Consumer Protection & Antitrust Division
Office of the Attorney General
1050 E. Interstate Ave., Suite 200
Bismarck, ND 58503
701-328-5570
pgrossman@nd.gov
ealm@nd.gov

Counsel for Plaintiff North Dakota

Beth Ann Finnerty
Mark Kittel
Jennifer Pratt
Office of The Attorney General of Ohio,
Antitrust Section
30 E Broad Street, 26th Floor
Columbus, OH 43215
614-466-4328
beth.finnerty@ohioattorneygeneral.gov
mark.kittel@ohioattorneygeneral.gov
jennifer.pratt@ohioattorneygeneral.gov

Counsel for Plaintiff Ohio

Caleb J. Smith Assistant Attorney General
Consumer Protection Unit
Office of the Oklahoma Attorney General
313 NE 21st St
Oklahoma City, OK 73105
Tel: (405) 522-1014
Caleb.Smith@oag.ok.gov

Counsel for Plaintiff Oklahoma

Cheryl Hiemstra
Oregon Department of Justice
1162 Court St NE
Salem, OR 97301
503-934-4400
cheryl.hiemstra@doj.state.or.us

Counsel for Plaintiff Oregon

Tracy W. Wertz
Joseph S. Betsko
Pennsylvania Office of Attorney General
Strawberry Square
Harrisburg, PA 17120
Tel: (717) 787-4530
jrbetsko@attorneygeneral.gov
twertz@attorneygeneral.gov

Counsel for Plaintiff Pennsylvania

Johan M. Rosa Rodríguez
Assistant Attorney General Antitrust
Division
Puerto Rico Department of Justice
PO Box 9020192
San Juan, Puerto Rico 00902-0192
Tel: (787) 721-2900, ext. 1201
jorosa@justicia.pr.gov

Counsel for Plaintiff Puerto Rico

David Marzilli
Rhode Island Office of the Attorney General
150 South Main Street
Providence, RI 02903
Tel: (401) 274-4400
dmarzilli@riag.ri.gov

Counsel for Plaintiff Rhode Island

Yvette K. Lafrentz
Office of The Attorney General of
South Dakota
1302 E. Hwy 14, Suite 1
Pierre, SD 57501
605-773-3215
yvette.lafrentz@state.sd.us

Counsel for Plaintiff South Dakota

Ryan G. Kriger
Office of The Attorney General of
Vermont
109 State St.
Montpelier, VT 05609
802-828-3170
ryan.kriger@vermont.gov

Counsel for Plaintiff Vermont

Sarah Oxenham Allen
Tyler Timothy Henry
Office of the Attorney General of Virginia
Antitrust Unit/Consumer Protection Section
202 N. 9th Street
Richmond, VA 23219
804-786-6557
soallen@oag.state.va.us
thenry@oag.state.va.us

Counsel for Plaintiff Virginia

Amy Hanson
Washington State Attorney General
800 Fifth Avenue, Suite 2000
Seattle, WA 98104
206-464-5419
amy.hanson@atg.wa.gov

Counsel for Plaintiff Washington

Douglas Lee Davis
Tanya L. Godfrey
Office of Attorney General, State of West
Virginia
P.O. Box 1789
812 Quarrier Street, 1st Floor
Charleston, WV 25326
304-558-8986
doug.davis@wvago.gov
tanya.l.godfrey@wvago.gov

Counsel for Plaintiff West Virginia

Benjamin Mark Burningham
Amy Pauli
Wyoming Attorney General's Office
2320 Capitol Avenue
Kendrick Building
Cheyenne, WY 82002
(307) 777-6397
ben.burningham@wyo.gov
amy.pauli@wyo.gov

Counsel for Wyoming

WILLIAMS & CONNOLLY LLP

By: /s/ John E. Schmidlein
John E. Schmidlein (D.C. Bar No. 441261)
Benjamin M. Greenblum (D.C. Bar No. 979786)
Colette T. Connor (D.C. Bar No. 991533)
725 12th Street, NW
Washington, DC 20005
Tel: 202-434-5000
jschmidlein@wc.com
bgreenblum@wc.com
cconnor@wc.com

WILSON SONSINI GOODRICH & ROSATI P.C.
Susan A. Creighton (D.C. Bar No. 978486)
Franklin M. Rubinstein (D.C. Bar No. 476674)
1700 K St, NW
Washington, DC 20006
Tel: 202-973-8800
screighton@wsgr.com
frubinstein@wsgr.com

ROPES & GRAY LLP
Mark S. Popofsky (D.C. Bar No. 454213)
2099 Pennsylvania Avenue, NW
Washington, DC 20006
Tel: 202-508-4624
Mark.Popofsky@ropesgray.com

Counsel for Defendant Google LLC