UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ERICA FRASCO, et al., individually and on behalf of all others similarly situated,

Plaintiffs,

v.

FLO HEALTH, INC., META PLATFORMS, INC., GOOGLE, LLC, and FLURRY, INC.,

Defendants.

Case No. 3:21-cv-00757-JD

DECLARATION OF HEATHER LITTRELL OF A.B. DATA ON IMPLEMENTATION OF NOTICE PLAN

I, Heather Littrell, declare as follows:

1. I am a Project Manager with A.B. Data, Ltd. ("A.B. Data"). A.B. Data has been acting as Notice and Settlement Administrator in this case.

2. I submit this Declaration at the request of Class Counsel and as directed in the Court's April 22, 2026 Order re Preliminary Approval re Google LLC and Flo Health, Inc. ("Preliminary Approval Order") to describe A.B. Data's compliance with the notice provision in the Preliminary Approval Order. This Declaration is based upon my personal knowledge and information provided by the Parties, my associates, and A.B. Data staff members.

3. This supplements my previous declaration, the Declaration of Heather Littrell of A.B. Data in Support of Plaintiffs' Motion for Final Approval of Class Settlements with Defendants Flurry LLC, Google LLC, and Flo Health, Inc., filed on August 20, 2026 (Dkt. No. 842-2) ("Aug. 20, 2026 Littrell Decl."), which described the implementation of the Notice Plan[1] to date. For completeness, this Declaration will review the efforts previously undertaken, provide

[1] "Notice Plan" refers to the Declaration of Justin Parks of A.B. Data Regarding the Proposed Notice Plan and in Support of Plaintiffs' Motion for Preliminary Approval of Class Settlements with Defendants Flo Health, Inc. and Google LLC, filed on February 27, 2026 (Dkt. No. 820-12) described the proposed notice plan ("Notice Plan").

the Court with updated information concerning subsequent work to fully implement the Notice Plan to the nationwide Class and California Subclass in this Action, and describe the claims administration experience to date. Finally, this Declaration will provide an update on any objections of which A.B. Data is aware and summarize the administrative costs to date as well as the estimated additional cost to complete the administration of the three Settlements.

SETTLEMENT NOTICE PLAN DELIVERY

4. As discussed in my previous declaration, this Notice Plan (measurable paid media combined with direct notice) delivered an estimated 90.1% reach against the selected, broadly-inclusive target demographic audience: adult women from 18 to 49 years of age ("Adult Women 18-49"), with an average frequency of 1.6. As described in the Notice Plan, the size of the Adult Women 18-49 audience (71,103,164) is larger than the estimated Class size of 9,961,995. It was A.B. Data's expectation that the media exposure created by the Notice Plan would reach approximately 4,861,598 Class Members, and direct notice would be delivered to 4,114,159 Class Members. To achieve the desired reach, A.B. Data implemented the Notice Plan in three phases.

PHASE 1 NOTICE

Direct Notice

5. From June 12, 2026 until June 29, 2026, A.B. Data sent the summary notice, formatted for use as an email ("Email Notice"), to 3,393,698 high priority email addresses. These are email addresses received from Flo of its registered users during the Class Period ("Flo User List") that had been processed, analyzed, and enriched by Covalynt's work. Of the Email Notices that were sent, 3,021,943 (or 89.05%) were delivered and 371,755 were undeliverable. A true and correct copy of the Email Notice is attached as **Exhibit A.**

6. A.B. Data was informed that Flo sent push notifications through the Flo App and published a banner on its app and website alerting potential Class (and California Subclass) Members about the Settlements and directing them to the case-specific website. As of August 18, 2026, the banner appeared on the Flo App and Flo website. As of October 15, 2026, the banner continued to appear on the Flo website.

Paid Media

7. From June 12, 2026 through July 12, 2026, digital banner and social media advertising appeared on various websites and social media via TikTok, Google Display Network, YouTube, Facebook, Instagram, Pinterest, and Snapchat.[2] Targeted digital and social media advertising was also employed to programmatically reach potential Class (and California Subclass) Members. This advertising delivered 113,851,927 gross impressions[3] nationwide and 12,970,781 gross impressions in California. A true and correct copy of the banner ads as they appeared on several websites are attached as **Exhibit B.**

8. A.B. Data purchased sponsored search listings to appear from June 12, 2026 through October 15, 2026 on Google.com and/or other search partners. When a person used one or more specific target phrases and/or keywords in a search engine, the link to the case-specific website may have appeared near the top of the search result pages.

9. From June 15, 2026 through July 12, 2026, 30-second digital audio and/or display banner advertisements ran (or appeared) on streaming platforms, including Spotify, iHeartRadio, Pandora, and Apple Podcasts. This advertising delivered 3,461,225 impressions. A true and correct copy of the radio script is attached as **Exhibit C.**

10. The Short-Form Notice, formatted as a Publication Notice, appeared once in the print version of *The New York Times*, published on June 18, 2026, and *The Los Angeles Times*, published on June 19, 2026. A true and correct copy of the Publication Notice is attached as **Exhibits D and E.**

11. A.B. Data's implementation of the first phase of the paid media notice program fulfilled the approved notice program's initial notice objectives.

[2] Snapchat ran from June 12, 2026 to June 13, 2026 before the publisher stopped the advertising campaign due to legal advertising restrictions on the platform.

[3] Gross (targeted) impressions represent the cumulative number of exposures to the notice across all media channels among individuals in the target audience, including multiple exposures to the same individual.

PHASE 2 NOTICE

12. Following the first notice phase, A.B. Data reviewed claims data, website engagement, email delivery, and media performance of its notice efforts. Based on this analysis, and at the direction of Class Counsel, additional notice efforts were implemented to reach Class (and California Subclass) Members and encourage them to submit claims before the claims deadline.

Direct Notice

13. As described in the Aug. 20, 2026 Littrell Decl., the "Flo User List" contained up to three email addresses for each record provided, with the email addresses sorted by priority from most deliverable to least deliverable. To reach as many potential class members as possible, A.B. Data sent a reminder email notice to all available email addresses, regardless of their assigned priority level. From August 14, 2026 through August 19, 2026, A.B. Data sent a reminder notice, formatted as an email ("Reminder Email Notice"), to 3,160,215 records (totaling 4,135,798 email addresses)[4] to encourage Class (and California Subclass) Members to participate in the Settlements. Of the Reminder Email Notices that were sent, 4,026,785 (or 97.36%) were delivered and 109,013 were undeliverable. A true and correct copy of the Reminder Email Notice is attached as **Exhibit F**.

14. On August 14, 2026, A.B. Data sent a reminder notice, formatted as a postcard ("Reminder Postcard Notice"), to a sample of 20,000 mailing addresses on the Flo User List. A true and correct copy of the Reminder Postcard Notices are attached as **Exhibits G and H,** respectively.

15. On August 18, 2026, A.B. Data sent another reminder notice, formatted as a text message ("Reminder Text Message Notice"), to a sample of 10,000 users on the Flo User List with available phone numbers. This text notice effort used five slightly different messages to test which

[4] The "Reminder Email Notice" was sent to all records on the "Flo User List" with a valid email address, who had not filed a claim in response to the Phase I Direct Notice. Any record where a claim was filed was excluded from the reminder notice effort.

message would be most effective should a full text message campaign be implemented. Of the initial Reminder Text Message Notices that were sent, 9,182 (or 91.82%) were delivered and 818 were undeliverable. A true and correct copy of the Reminder Text Message Notices used for Phase 2 are attached as **Exhibit I**.

Paid Media

16. From August 5, 2026 through September 11, 2026, targeted digital banner and social media advertising appeared on various websites and social media via TikTok, Google Display Network, Facebook, Instagram, and Pinterest. This advertising delivered 11,503,263 gross impressions nationwide. Samples of the digital banner ads used are attached as **Exhibit J**.

17. From August 5, 2026 through September 11, 2026, 30-second digital audio and/or display banner advertisements ran (or appeared) on streaming platforms, including Spotify, iHeartRadio, Pandora, and Apple Podcasts. This advertising delivered 603,012 impressions. A true and correct copy of the radio script is attached as **Exhibit K**.

PHASE 3 NOTICE

18. Following the second notice phase, A.B. Data again analyzed the performance of the notice efforts, claims response, and website engagement. Based on these insights and at the request of Class Counsel, A.B. Data implemented the following strategy as part of its final push to reach Class (and California Subclass) Members and encourage them to submit claims before the claims deadline.

Direct Notice

19. From September 29, 2026 through October 13, 2026, A.B. Data sent Reminder Email Notices to 3,874,492 records. Any record on the Flo User List with a valid email address for which a claim had already been filed was excluded from the reminder notice effort. Of the Reminder Email Notices that were sent, 3,435,864 (or 88.67%) were delivered and 438,628 were undeliverable. A true and correct copy of the Reminder Email Notice used for Phase 2 is attached as **Exhibit L.**

20. On September 27, 2026, A.B. Data sent Reminder Text Message Notices to 1,793,686 users on the Flo User List with available phone numbers. Of the Reminder Text Message Notices that were sent, 1,465,485 (or 81.70%) were delivered and 382,201 were undeliverable. A true and correct copy of the Reminder Text Message Notice used for Phase 3 is attached as **Exhibit M.**

Paid Media

21. From October 1, 2026 through October 15, 2026, targeted digital banner and social media advertising appeared on various websites and social media via TikTok, Google Display Network, Facebook, Instagram, Pinterest and other programmatic platforms. This advertising delivered 28,086,482 gross impressions nationwide.

22. From October 1, 2026 through October 15, 2026, banner ads appeared on e-newsletters delivering 3,235,249 impressions.

23. The digital and social media ads included messaging designed to alert potential Class (and California Subclass) Members about the upcoming claims deadline and prompt them to file a Claim. Samples of the banner ads as they appeared on several websites are attached as **Exhibit N**.

24. From October 5, 2026 through October 15, 2026, a 30-second television commercial (or "spot") ran (or appeared) on connected television and streaming platforms that have a strong female viewership. The television advertisements aired throughout the day in different program environments to reach the highest number of viewers. This advertising delivered 3,183,344 impressions. A copy of the television script is attached as **Exhibit O**.

25. From October 5, 2026 through October 15, 2026, 30-second digital audio advertisements ran (or appeared) on streaming radio and podcast platforms. This advertising delivered 1,406,432 impressions. A copy of the radio script is attached as **Exhibit P**.

26. The Short-Form Notice, formatted as a Publication Notice, appeared once as a half-page color advertisement in the print version of *People* magazine, published on October 2, 2026 on page 60 in the October 12th Issue. *People* has a readership of approximately 25.6 million adults,

including 16.6 million women. A copy of the Publication Notice as it appeared in print is attached as **Exhibit Q**.

Earned Media

27. On October 2, 2026, A.B. Data distributed a multichannel news release (MNR) through PR Newswire's US1 Newsline. The MNR featured interactive content, including text, audio, video, photos, related documents and social media links, to increase engagement with journalists and other audiences. The release was republished across news websites and generated over 984,300 ad displays and 12,623 clicks. It reached 532 media outlets, generating 96,700 views. Additionally, 477 journalists and influencers received the release for potential coverage and distribution across their platforms. A supporting native article generated 150,012 impressions and 286 clicks, extending the campaign's reach and engagement. A copy of the MNR and Native Article as they appeared are attached as **Exhibits R and S**.

28. A.B. Data's use of sponsored search listings completed on October 15, 2026. The search campaigns across Phases 1, 2 and 3 generated 273,366 impressions.

29. As a result of the three notice phases, the media exposure reached over 90.1% of the 4,861,598 Class Members that A.B. Data expected when designing the indirect Notice Plan. Direct Notice was delivered to 3,419,358[5], or 83.1% of the 4,114,159 Class Members expected under the Direct Notice portion of the Notice Plan.

WEBSITE & TOLL-FREE TELEPHONE NUMBER

30. On June 11, 2026, A.B. Data updated the case-specific toll-free telephone number, 1-866-778-9626, with an interactive voice response ("IVR") system and live operators to address callers' questions and provide information about the Action and the Settlements. As of October 15, 2026, there have been 480 calls to the toll-free telephone number.

31. Also on June 11, 2026, A.B. Data updated the case-specific website, PeriodTrackerDataPrivacyLitigation.com with information about the Settlements. The website

[5] This number is a combination of notice records where an email address was present plus records where a phone number was obtained and no email address was available.

provides, among other things, a case summary, the Long-Form Notice providing the information required under Rule 23, answers to frequently asked questions, information about Class (and California Subclass) Members' rights and options, relevant pleadings and key documents, updates about the Action, and important dates. The website was also updated to include functionality for Class (and California Subclass) Members to submit their claims online. As of October 15, 2026, there have been 16,133,554 unique visitors to the website.

32. A.B. Data previously established the case-specific email address, info@PeriodTrackerDataPrivacyLitigation.com, on June 17, 2025. As of October 15, 2026, A.B. Data has received and responded to 3,018 emails.

CLAIMS ADMINISTRATION

33. A.B. Data is providing claims administration services in accordance with the Settlement Agreements and Court-approved distribution plan.

34. Class (and California Subclass) Members were required to complete and submit a properly executed Claim Form, either by mail or online through the case-specific website, no later than 11:59 p.m. on October 15, 2026.

35. As of October 15, 2026, A.B. Data received 22,238,137 timely filed Claim Forms, of which 22,227,068 were submitted online and 11,069 were submitted by mail. A.B. Data continues to review and process these claims. As stated in my previous declaration, A.B. Data has engaged Covalynt to assist with fraud detection of claims as they are submitted. Following an initial review by Covalynt, 461,766 claims were determined not to be fraudulent, 78,654 claims show indicia of fraud, but the evidence is not determinative, 256 claims did not contain sufficient data to be processed, and 21,697,461 claims were determined to be fraudulent ("failed claims"). Failed claims are subject to a final audit by Covalynt and that audit is ongoing.[6] A.B. Data also

[6] Covalynt is currently reexamining approximately 728,116 claims currently designated as failed and anticipates that some of these claims will move from the failed to the cure designation. *See* ¶ 36. This final review of failed claims is being performed to account for changes in trends and additional data provided over the course of the claims filing period. To the extent this ongoing review leads to the change in the status of any failed claims, A.B. Data will provide the Court

reviewed the methodology used to make these determinations and agrees with the methodology. A.B. Data is in the process of further confirming that these determinations are valid. Based on the present available data, the claims rate for this administration is approximately 4.6%.

36. The 78,654 claims (plus any failed claims that move from fail to cure as a result of Covalynt's audit) that show indicia of fraud (the "Cure Claims") will be subject to additional verification through A.B. Data's deficiency process. Under this process, A.B. Data sends each claimant a deficiency notice identifying the basis for further review and requesting additional documentation or information sufficient to establish the claimant's identity. Claimants who fail to respond, or whose responses do not resolve the indicia of fraud, will have their claims denied. Based on A.B. Data's experience administering similar deficiency processes in comparable class action settlements, a typical cure rate is approximately 3%. Applying that cure rate to the 78,654 Cure Claims, A.B. Data expects approximately 2,359 claims could ultimately be found valid, which would increase the claims rate to 4.65%. The remaining Cure Claims that are not timely or adequately cured will be denied and excluded from any distribution.

37. Additionally, A.B. Data has received 72,843 late Claim Forms since the October 15 deadline. A.B. Data will continue to receive, review, and process late Claim Forms. In the event Class Counsel and the Court allow late Claim Forms to be accepted, A.B. Data will continue accepting late Claim Forms provided acceptance does not materially delay the time to distribute settlement payments to Claimants that timely filed their Claim Forms. A.B. Data will provide the Court with a detailed report about the valid claims and claims administration process after it completes the auditing process.

OBJECTIONS

38. The deadline for Class (and California Subclass) Members to object and/or request to speak in person at the Final Approval Hearing was October 8, 2026. Objections had to be filed with the Court on or before that date. A.B. Data has not received any objections and/or requests to

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with additional information regarding the results of this process, as well as the ultimate outcome of the deficiency process (*see* ¶ 36) upon its completion.

speak in person at the Final Approval Hearing and is aware that one objection has been filed with the Court.

ADMINISTRATION COSTS

39. As of October 15, 2026, A.B. Data's fees and expenses for administering the Settlement total $3,556,087.39. A.B. Data currently estimates that it will cost an additional $325,000.00 to complete claims administration and distribute settlement payments to Authorized Claimants. The foregoing amounts, including the estimated additional fees and expenses, are preliminary and will be finalized following completion of the deficiency process and prior to the distribution of settlement payments.

ESTIMATED AWARDS

40. Should the Court award all requested fees, the Net Settlement Fund, exclusive of interest earned and tax liabilities, will be approximately $34,005,728.20. Applying the Plan of Allocation including the premium for California Class Members, there are 461,766 valid claims resulting in 541,331 total shares with each share being approximately $63.00. If the estimate referenced above in paragraph 35 of a 3% cure rate is applied, there would be a total of 475,619 valid claims, resulting in 557,571 total shares with each share being $60.00. Therefore, A.B. Data estimates non-California Class Members could receive between $60.00-$63.00 and California Class Members could receive between $120.00-$126.00.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed this 22 day of October, 2026 in Milwaukee, WI.

Heather Littrell

EXHIBIT A

From:
To:
Subject: Court Ordered Notice of Period Tracker Data Privacy Settlements
Date: Wednesday, July 8, 2026 6:13:31 PM

Notice ID: 1 8

Unique ID: M 6
PIN: P J

If You Used the Flo App Anytime Between November 1, 2016 and February 28, 2019 You Could Get Money from $59.5 Million in Settlements

This is a Court authorized notice. Records show that you could get a payment from proposed Settlements in a class action lawsuit. Generally, you are included as a member of the nationwide Class if you used the Flo Period and Ovulation Tracker App ("Flo App") in the United States between November 1, 2016 and February 28, 2019 ("Class Period"); AND you entered menstruation and/or pregnancy information into the Flo App during that time. You are also included as a member of the California Subclass if you used the Flo App in California during the Class Period, entered menstruation and/or pregnancy information into the Flo App, AND lived in California during that time.

Under the Settlements, Google LLC ("Google") will pay $48 million, Flo Health, Inc. ("Flo") will pay $8 million, and Flurry LLC ("Flurry") will pay $3.5 million. Among other things, the combined Settlement Fund will be used to pay money to eligible Class Members (including California Subclass Members). You may be eligible to get a payment. If you are eligible and want to participate, click the button below to submit a claim **no later than October 15, 2026**.

Submit a Claim

Flo operates the Flo App in the United States that allows users to track their menstrual cycle, predict ovulation, and track pregnancy, among other things. The lawsuit alleged that between November 1, 2016 and February 28, 2019, Flo incorporated code from Flurry, Meta Platforms, Inc. (f/k/a Facebook, Inc.) ("Meta") and Google's software development kits ("SDKs"), among others, in the Flo App through which Flo allegedly shared information related to Flo App users'

menstruation and/or pregnancy. Plaintiffs say this was against the law. Flurry, Google, and Flo deny Plaintiffs' allegations and deny they did anything wrong, but agreed to settle to resolve the claims solely to eliminate the uncertainties, burden, expense, and delay of further protracted litigation. A trial between Plaintiffs and Meta concluded on August 1, 2025, and the jury returned a verdict in favor of Plaintiffs. If you are eligible to receive money from that verdict, you will be contacted at a later time. Your election in response to this Notice will not impact your right to receive money from the Meta verdict.

If you are a Class Member, you can now submit a Claim Form to ask for a payment and/or object to the Settlements and related relief. Even if you do nothing, if you are in the Class (and did not exclude yourself by July 20, 2025), you will be bound by the Court's decisions. If you did not exclude yourself previously, you may object by **October 8, 2026 and/or file a Claim Form by October 15, 2026**, by following the instructions in the Long Form Notice available here. The Court will hold a hearing about the Settlements on **October 29, 2026 at 11:00 a.m. Pacific Time**. Class Counsel will ask the Court to approve attorneys' fees up to 32.5% of the Settlement Fund (20% of the Flurry Settlement and 33.3% of the Settlements with Google and Flo), Litigation Expenses up to $3,600,000, and service awards up to $155,000 for the named Plaintiffs. You, or your own lawyer at your own expense, may appear and speak at the hearing at your own expense.

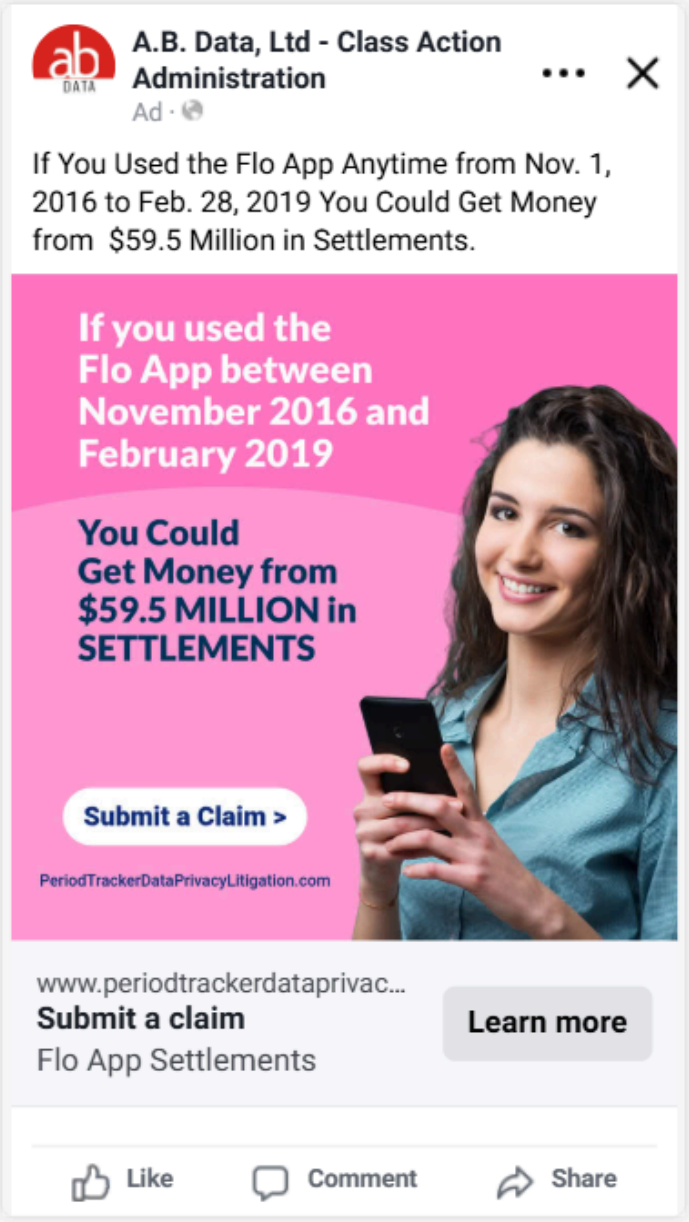
For more information:

Visit: www.PeriodTrackerDataPrivacyLitigation.com
Email: info@PeriodTrackerDataPrivacyLitigation.com
Call: 866-778-9626
Write to: Period Tracker Data Privacy Litigation, P.O. Box 173126, Milwaukee, WI 53217

If you'd like to unsubscribe click here.

EXHIBIT B

Facebook Feed



Instagram feed

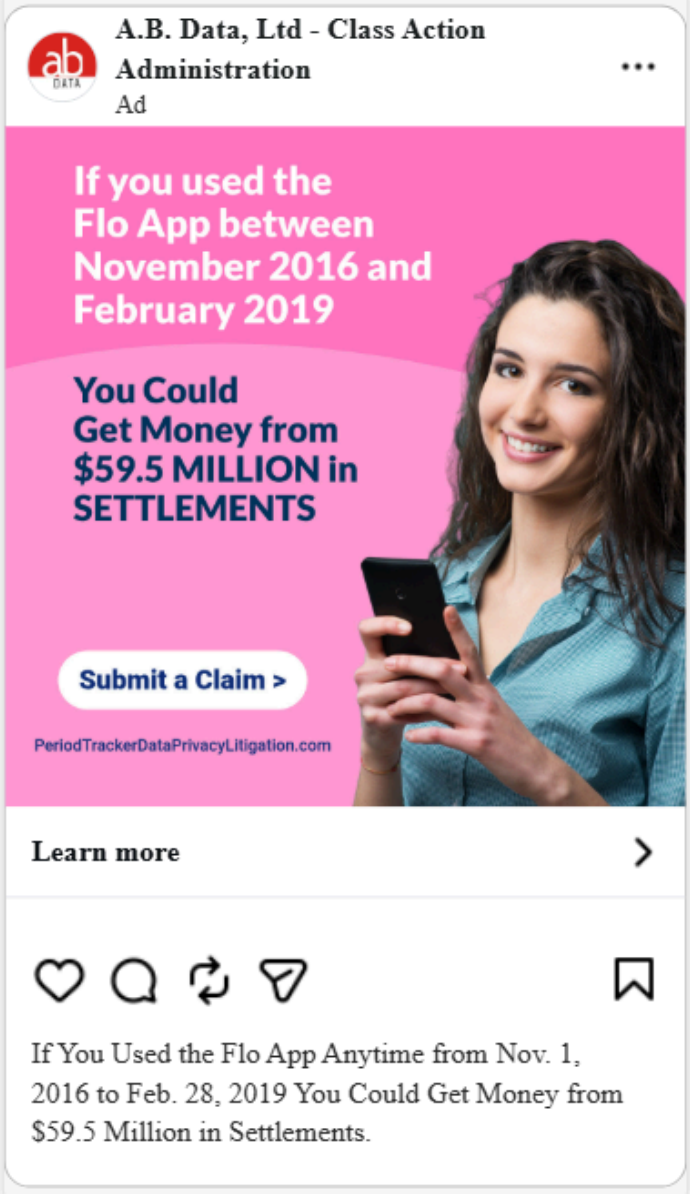


EXHIBIT C

Flo Flurry Google Settlement 30-second Radio Script

Hey! Did you use the Flo Period and Ovulation Tracker app between November 2016 and February 2019?

You could get money from Settlements totaling $59.5 million dollars.

Submitting a claim is easy, but you must act now! Claim forms must be submitted by October 15, 2026.

For more information or to submit a claim, visit Period Tracker Data Privacy Litigation dot com -- or call 1-866-778-9626.

Paid for by the Period Tracker Data Privacy Litigation Settlements.

EXHIBIT D

LITIGATION

D.O.J. Seeks to Halt Pollution Lawsuit Against Musk's Data Center

National security is cited and an argument that the U.S. has sole authority.

By KAREN ZRAICK and HIROKO TABUCHI

In an unusually aggressive move, the Justice Department told a federal court in Mississippi that Elon Musk's artificial intelligence company, xAI, has the right to run dozens of polluting gas-burning turbines in the state despite not having permits for them.

The Justice Department late on Monday said that the court should throw out a lawsuit against xAI that was brought by the N.A.A.C.P. claiming that the turbines violate the Clean Air Act. The suit threatens national security by "seeking to shut off the power supply for artificial-intelligence innovation that supports the Department of War's military operations," according to the memo, which was signed by Stanley Woodward Jr., associate attorney general and the No. 3 official in the department.

The memo also argued that the federal government should have unchallenged authority to stop environmental lawsuits brought by private groups or individuals.

"It's remarkable for the United States to intervene on behalf of a polluter in a case like this," said Laura Thoms, director of enforcement at Earthjustice, which represents the N.A.A.C.P. along with the Southern Environmental Law Center. "Ordinarily, they would intervene to enforce the law," she said, referring to the Clean Air Act, which requires facilities like power plants to seek permits and install pollution-control technologies.

Ms. Thoms, who until last year was an assistant chief for environmental enforcement at the Justice Department, also said that to her knowledge the department hasn't previously argued that it should have the power to reject citizens' lawsuits on its own authority.

A representative of xAI didn't immediately respond to a request for comment.

The N.A.A.C.P. sued xAI in April to challenge the company's use of unpermitted gas turbines for data centers near the Tennessee-Mississippi border.

The lawsuit argues that the company was violating the Clean Air Act and is polluting Black neighborhoods near the facilities. The language of the Clean Air Act, the main law governing air pollution in the United States, says that individuals and groups can file what it calls "citizen suits" against companies or government agencies to compel enforcement of environmental laws. The suits have long been a mainstay for environmental groups.

In its memo, the Justice Department cited the president's determination that expansion of energy infrastructure was a major priority in order to enhance "global A.I. dominance." And it argued that the federal government has power to quash the N.A.A.C.P.'S "citizen suit" and that individual citizens and groups cannot pursue Clean Air Act enforcement over the federal government's objections.

Ms. Thoms said that, under the Clean Air Act, there was no national security exemption for complying with the claims.

On Tuesday Mr. Woodward, the associate attorney general who signed the memo, said in a statement that the "ultimate responsibility for enforcing federal law belongs to the executive branch, not private interest groups." He said the department was "committed to maintaining that constitutional order while protecting national security and promoting American energy and innovation."

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Uncontrolled gas turbines that xAI is said to operate in Mississippi.

The N.A.A.C.P.'s lawsuit names xAI and its subsidiary MZX Tech as defendants and takes issue with their use of portable, natural-gas-powered turbines to help power Grok, xAI's artificial intelligence product. The Mississippi Department of Environmental Quality had determined that the state did not require Clean Air Act permits for the turbines.

The N.A.A.C.P. alleges that xAI currently operates 57 gas turbines in Mississippi to power its Colossus 2 data center, located near the border of Tennessee, without pollution controls required by the Clean Air Act.

That makes the facility one of the country's biggest single industrial sources of smog-forming nitrogen oxide, the plaintiffs allege, as well as significant source of other harmful air pollutants like particulate matter and formaldehyde, disproportionately affecting vulnerable groups like children, older adults and low-income or minority households.

The lawsuit seeks penalties of roughly $124,000 per day per violation, and an injunction ordering the company to stop operating the turbines. xAI has said the turbines are temporary, and therefore exempt from more stringent permitting requirements. xAI is now a part of SpaceX, Mr. Musk's rocket venture, which recently began trading on the stock market, making Mr. Musk a trillionaire.

"At a time when the ultrarich seem to be protected and supported by some of our government entities, it is important that polluting industries don't get to benefit at the expense of the health of Black communities," Abre' Conner, N.A.A.C.P.'s director of environmental and climate justice, said on Tuesday. "Citizen suits are a bedrock insurance policy for communities to hold polluters accountable for decisions that cause them harm."

On Tuesday, Thomas Jorling, who helped write the 1970 Clean Air Act when he was a lawyer advising Republican senators, said that the law's provision on citizen lawsuits was intended to help prevent what he called "malfeasance" by government agencies.

"Among the motivations for forgoing to enforce are favoritism, political payoff, insufficient resources and the like," said Mr. Jorling, who has been credited with making sure the citizen-suit provision was part of the law. "There are no other explanations for government not enforcing the law. Citizen suits are the line of defense."

The D.O.J.'s intervention in the case on the side of xAI would seemingly pit the Trump administration against another federal agency, the Environmental Protection Agency, which had clarified earlier this year that even temporary turbines were subject to permitting and pollution controls.

The E.P.A. said Tuesday it does not comment on pending litigation.

The N.A.A.C.P.'s lawsuit comes amid a rising backlash against energy-intensive data centers in recent months, triggering lawsuits as well as 100 proposed moratoriums at the local, county, state and national levels.

Andrew Mergen, a professor at Harvard Law, said the Justice Department's memo was "very aggressive" and rooted in a long-standing campaign in the conservative legal movement to curtail citizen suits on constitutional grounds. The N.A.A.C.P.'s lawsuit against xAI is in the Fifth Circuit, widely seen as the most conservative appeals court in the country. Because of that, the department "feels very assured that they have a certain home court advantage," said Mr. Mergen, who left the Justice Department's environment division in 2022 after a three-decade career there.

It was notable that the filing was largely signed by political appointees, including such a high-ranking official as Mr. Woodward, rather than career departmental attorneys, Mr. Mergen said. "In my 33 years at the Department of Justice, I don't think I ever filed a pleading with the associate attorney general on it," he said. He saw that as a sign that the department had become politicized.

Emily Tucker, vice president at the investment research firm Capstone, said the firm believed that a "conventional reading" of the Clean Air Act would push the court to rule in favor of the N.A.A.C.P. But the Justice Department's memo could create some challenges for the group to get all of the remedies it sought, she said.

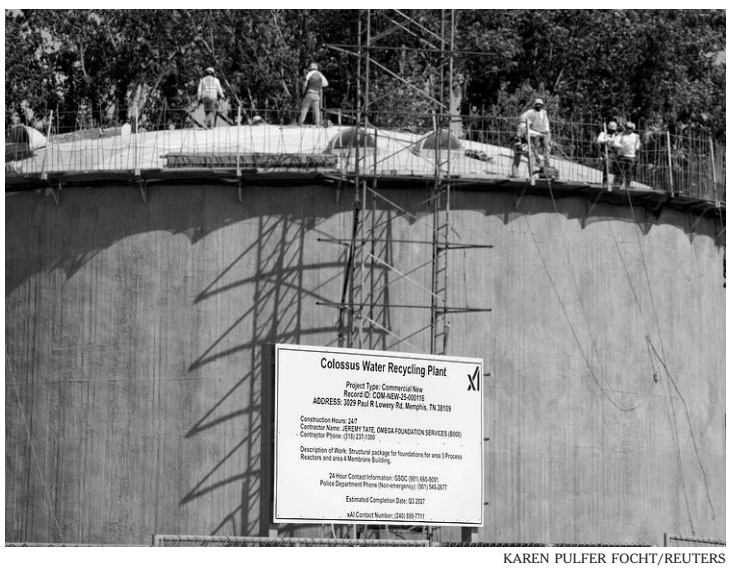
For example, Ms. Tucker said, the national-security argument could be compelling to the judge, Debra M. Brown of the U.S. District Court for the District of Northern Mississippi. That could help carve out an exemption to pollution rules for data centers being used for defense functions.

The arguments about citizen suits will be more challenging for the department to win, she said. "However, given the nature of the questions that have been raised, we think it's likely that this case will be appealed to the Fifth Circuit and potentially the Supreme Court," she said.



BRAD J. VEST FOR THE NEW YORK TIMES

Construction at xAI's power plant in Southaven, Miss., in February. The N.A.A.C.P. has sued the company over air pollution from generators there. The Justice Department wants the suit thrown out.



KAREN PULFER FOCHT/REUTERS



CINDY SCHULTZ FOR THE NEW YORK TIMES

People working on the water recycling plant for Colossus, xAI's A.I. training supercomputer, top. Thomas Jorling, who helped write the 1970 Clean Air Act, said Tuesday that the law's provision on citizen lawsuits was intended to help prevent what he called "malfeasance" by government agencies.

IF YOU USED THE FLO APP ANYTIME BETWEEN NOVEMBER 1, 2016 AND FEBRUARY 28, 2019

You Could Get Money from $59.5 Million in Settlements

www.PeriodTrackerDataPrivacyLitigation.com

Proposed Settlements totaling $59.5 million have been reached with Google LLC ("Google"), Flo Health, Inc. ("Flo"), and Flurry LLC ("Flurry"), in a class action lawsuit regarding Flo's Period and Ovulation Tracker App (the "Flo App"). The case is *Frasco et al. v. Flo Health, Inc. et al*., No. 3:21-cv-00757 (N.D. Cal.). Plaintiffs alleged that the Flo App disclosed information related to users' menstruation and/or pregnancy information to Flurry, Meta Platforms, Inc. ("Meta"), and Google. The Court did not decide who is right or whether Flo, Flurry, or Google did anything wrong. Flo, Flurry, and Google deny all of Plaintiffs' allegations, dispute that personal or health information was shared, and dispute that they did anything wrong.

A trial between Plaintiffs and Meta concluded on August 1, 2025, and the jury returned a verdict in favor of Plaintiffs. If you are eligible to receive money from that verdict, you will be contacted at a later time. Your election in response to this Notice will not impact your right to receive money from the Meta verdict.

What is this lawsuit about?

Plaintiffs alleged that between November 1, 2016 and February 28, 2019 ("Class Period"), Flo incorporated code from Flurry, Meta, and Google's software development kits ("SDKs"), among others, in the Flo App through which Flo allegedly shared information with Flurry, Meta and Google related to Flo App users' menstruation and/or pregnancy. Plaintiffs claimed the alleged disclosure of this personal health information violated certain state and federal laws. Defendants deny the claims and that they did anything wrong. Flurry, Google, and Flo agreed to settle with Plaintiffs solely to eliminate the uncertainties, burden, expense, and delay of further protracted litigation; they have not admitted any wrongdoing as part of the Settlements.

The Court previously certified a nationwide Class and California Subclass in this case and decided the claims against Flo, Google, and Meta could proceed to trial. Plaintiffs, Google, and Flo reached Settlements before the trial concluded. The trial between Plaintiffs and Meta concluded on August 1, 2025, and the jury returned a verdict in favor of Plaintiffs. If you are eligible to receive money from that verdict, you will be contacted at a later time.

Who is included in the Settlements?

Generally, you are included in the Settlements if you are a member of the nationwide Class and/or California Subclass and you did not exclude yourself by July 20, 2025, and you are not excluded by the Class or California Subclass definitions.

Unless you are excluded, you are a member of the nationwide Class if you used the Flo App in the United States between November 1, 2016 and February 28, 2019; *and* you entered menstruation and/or pregnancy information into the Flo App during that time.

Unless you are excluded, you are a member of the California Subclass if you used the Flo App in California between November 1, 2016 and February 28, 2019; you lived in California during that time; *and* you entered menstruation and/or pregnancy information into the Flo App during that time.

A more detailed notice, which includes the exact Class and California Subclass definitions and who is not included, is available at www.PeriodTrackerDataPrivacyLitigation.com.

What do the Settlements provide?

Under the Settlements, Google has agreed to pay $48,000,000, Flo has agreed to pay $8,000,000, and Flurry has agreed to pay $3,500,000 to the Class in exchange for releases of all claims and related claims. These amounts will be combined into a total Settlement Fund of $59,500,000 that will be used to compensate eligible Class Members (including California Subclass Members) that file valid and timely Claim Forms. The Settlement Fund will also be used to pay for notice and settlement administration costs, taxes, service awards for representative Plaintiffs, attorneys' fees, and Litigation Expenses.

How can I get a payment?

If you are a Class Member and did not exclude yourself previously, you must submit a Claim Form to get a payment. Claim Forms must be submitted online at www.PeriodTrackerDataPrivacyLitigation.com on or before 11:59 p.m. Pacific Time on **October 15, 2026**, or be postmarked by **October 15, 2026**. The amount of your payment will depend on the number of valid claims and if you are a member of the California Subclass.

What are my rights and options?

If you are a Class Member, you can participate in and will be bound by the Settlements with Google, Flo, and Flurry, and all related orders and judgments.

If you did not exclude yourself, you may object to the Settlements by **October 8, 2026**. Details on how to object are contained in the Long Form Notice at www.PeriodTrackerDataPrivacyLitigation.com. The Court will hold a hearing on **October 29, 2026 at 11:00 a.m. Pacific Time** to consider whether to approve the Settlements and requests for attorneys' fees up to 32.5% of the Settlement Fund (20% of the Flurry Settlement, and 33.3% of the Settlements with Flo and Google), Litigation Expenses up to $3,600,000, and service awards up to $155,000 for the named Plaintiffs. You or your own lawyer may appear and speak at the hearing at your own expense. Please check the website for updated information.

FOR MORE INFORMATION

www.PeriodTrackerDataPrivacyLitigation.com 1-866-778-9626

EXHIBIT E

Vanishing marine layer is changing game's odds

[**Lopez,** from B1]
running slightly ahead of last year's.

That can't all be attributed to climate change, as retired Dodger great Steve Garvey is going to explain in a minute. When considered city by city and decade by decade, there are lots of factors in home run totals, from ballpark dimensions to playing strategies to the number of long ball hitters in each lineup.

But with Dodger Stadium, the marine layer angle jumped out at me because I'm always on the lookout for relatable ways to tell the climate change story. In the past, I'd written about the gradual demise of Joshua trees, the effect of receding fog and higher heat on the California wine industry, the growing nuisance of backyard bug bites and the gradual migration of juvenile great white sharks up the coast.

And now we have to ask ourselves: Is global warming producing more home runs than steroids did?

The warm-up is real, but it isn't new. In Game 2 of the 2017 World Series, the temperature at Dodger Stadium topped 100 when the first pitch was thrown, and the ballpark was like a popcorn machine. The Dodgers and Astros combined for a record eight home runs, and The Times' article quoted a NASA climate scientist who noted that the marine layer was a no-show.

While watching Monday night's game, I emailed Dodger fan Edgar McGregor, the meteorologist who warned neighbors about the catastrophic weather conditions that resulted in the Eaton fire.

I asked what he thought about this theory of a link between a diminished marine layer and the number of home runs.

"There is absolute truth to that," said McGregor, explaining that "when oceanic temperatures are warmer, the marine layer is weaker."

McGregor broke down the aerodynamics: "Cold air is dense, so a baseball has to push more atoms out of the way as it travels deep. Warm air has lower density, so balls travel farther."



ERIC THAYER Los Angeles Times

FANS CALL for balls at Dodger Stadium during batting practice before Tuesday's game against Tampa Bay.

UC climate scientist Daniel Swain said this pattern will accelerate "for the rest of our lives as air continues to warm and baseballs continue to meet less and less resistance."

This doesn't mean that an infield pop-up will become a home run, but Swain said balls travel four inches farther per 1 degree Fahrenheit increase, "meaning that the average hit goes about 1-2 feet further than it would have in the early 20th century."

That doesn't sound like a staggering difference, but with thousands of batted balls over the years, that's a lot of outs turning into doubles, triples and home runs. Swain sent me a 2023 study from the American Meteorological Society journal titled "Global warming, home runs, and the future of America's pastime."

> Each homer is like a fossil fuel bugle call signaling the end of the world as we know it.

Researchers reviewed data between 2010 and 2019, finding that "higher temperatures substantially increase home runs," with about 50 per year "attributable to historical warming." That adds up to about 500 more home runs.

The scientists concluded: "Each degree of global warming is associated with an additional 95 home runs per baseball season."

Home runs bring fans to their feet, as in Monday night's game, when Kyle Tucker pumped one that made it just over the right field wall and Miguel Rojas popped the game-winner with a shot that barely cleared the left field fence. So I don't want to sound like a party pooper, but there is no bigger story in the world than the accelerating destruction of the only sandlot we've got.

If the right team hits a homer, feel free to go ahead and cheer. But if the wrong team hits one, you can remind friends and loved ones that each homer is like a fossil fuel bugle call signaling the end of the world as we know it.

Thankfully, the marine layer has not yet disappeared entirely. We still got some May gray this year and some June gloom as well. I wondered, though, if there were any retired Dodgers out there who might be thinking they'd have walloped more home runs if they'd had the advantage of warmer air.

"I do remember some balls just not traveling far, especially compared to day games," said James Loney, who played first base for the Dodgers from 2006 to 2012 and had 106 career homers with three teams.

Today's Dodgers hit a lot of home runs primarily because the lineup is stacked, Loney said. But he said he recalled players from visiting teams hammering a long ball and passing him at first base, thinking "they had a home run, and then making a right turn back to the dugout."

Garvey, also a first baseman, slugged 272 home runs in his 18-year career and told me that if he were playing in this era, "I probably would have hit another 40 or 50 home runs."

But Garvey, who started with the Dodgers in 1969, said weather is just one of many factors that have led to more home runs in today's game, which has abandoned finesse in favor of brute force.

Garvey said the bats are harder, the balls are livelier, the pitchers throw harder (more velocity means more pop for batters) and launch angles are talked about more in baseball than at Cape Canaveral.

"We never heard the term 'launch angle,' " said Garvey, who told me he went up to the plate trying to hit a line drive, not a moon shot.

"My goal used to be a .300 average, 200 hits, 100 RBIs and 20-plus home runs," said Garvey, who hit 20 or more homers six times, with a high of 33 in 1977.

Today's Dodgers have plenty of swat in their lineup, ranking behind only the Yankees in home runs so far as they chase a third straight World Series ring. They're in first place even though one of their biggest bombers, Shohei Ohtani, is about a dozen homers shy of last year's pace.

But Swain has good news for Ohtani, for Dodger fans and for manufacturers of short-sleeved shirts.

"This year, there is going to be exceptionally high humidity for most of baseball season in SoCal due to the developing very strong El Niño event and record warm coastal ocean temperatures," he said.

"So, it's indeed plausible," Swain continued, "that the combination of long-term warming from climate change, plus shorter-term warming and humidity increase from El Niño and near-shore ocean warming, might increase the number of home runs this season."

One can only hope the home team does the most celebrating.

Go Dodgers.

steve.lopez@latimes.com

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Los Angeles Times

Legal Notices | Legal Notices

SUMMONS
(CITACION JUDICIAL)
Case Number (Numero del Caso): 25CMCV01554

NOTICE TO DEFENDANT:
(AVISO AL DEMANDADO):
CARLOS ACEVES, an individual; RUBEN TORRES, an individual; and DOES 1-100, INCLUSIVE;

YOU ARE BEING SUED BY PLAINTIFF:
(LO ESTA DEMANDANDO EL DEMANDANTE):
U-HAUL CO. OF CALIFORNIA, a California corporation;

NOTICE! You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read the information below.

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web Site (www.lawhelpcalifornia.org), the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), or by contacting your local court or county bar association. NOTE: The court has a statutory lien for waived fees and costs on any settlement or arbitration award of $10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case.

¡AVISO! Lo han demandado. Si no responde dentro de 30 dias, la corte puede decider en su contra sin escuchar su version. Lea la informacion a continuacion.

Tiene 30 DIAS DE CALENDARIO despues de que le entreguen esta citacion y papeles legales para presenter una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefonica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y mas informacion en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov), en la biblioteca de leyes de su condado o en la corte que le quede mas cerca. Si no puede pagar la cuota de presentacion, pida al secretario de la corte que le de un formulario de exencion de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podra quitar su sueldo, dinero y bienes sin mas advertencia.

The name and address of the court is: (El nombre y direccion de la corte es):
LOS ANGELES COUNTY - COMPTON COURTHOUSE
200 West Compton Boulevard
Compton, CA 90220

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is: (El nombre, la direccion y el numero de telefono del abogado del demandante, o del demandante que no tiene abogado, es):
Amir Ahmadi
500 N Brand Blvd., Ste 2200
Glendale, CA 91203
(818) 546-8686

Date: (Fecha) 09/17/2025

David W. Slayton Clerk (Secretario)
D. McKinney Deputy (Adjunto)

Legal Notices | Legal Notices

SUMMONS
(CITACION JUDICIAL)
Case Number (Numero del Caso): 25STCV05036

NOTICE TO DEFENDANT:
(AVISO AL DEMANDADO):
Stacia Mac, an individual

YOU ARE BEING SUED BY PLAINTIFF:
(LO ESTA DEMANDANDO EL DEMANDANTE):
Taurus Bartlett, an individual and Bartlett Management LLC, a California limited liability company

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The name and address of the court is: (El nombre y direccion de la corte es):
Stanley Mosk Courthouse
111 N. Hill St
Los Angeles, CA 90012

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is: (El nombre, la direccion y el numero de telefono del abogado del demandante, o del demandante que no tiene abogado, es):
Randall C. Fink , David M. Murphy, Murphy & Fink LLP
466 Foothill Blvd #430
La Canada, CA 91011
310-788-9088

Date: (Fecha) 08/04/2025

David W. Slayton, Executive Officer / Clerk of Court
Clerk (Secretario)
S. Bolden Deputy (Adjunto)

LEGAL NOTICE

IF YOU USED THE FLO APP ANYTIME BETWEEN NOVEMBER 1, 2016 AND FEBRUARY 28, 2019

You Could Get Money from $59.5 Million in Settlements

www.PeriodTrackerDataPrivacyLitigation.com

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A trial between Plaintiffs and Meta concluded on August 1, 2025, and the jury returned a verdict in favor of Plaintiffs. If you are eligible to receive money from that verdict, you will be contacted at a later time. Your election in response to this Notice will not impact your right to receive money from the Meta verdict.

What is this lawsuit about?
Plaintiffs alleged that between November 1, 2016 and February 28, 2019 ("Class Period"), Flo incorporated code from Flurry, Meta, and Google's software development kits ("SDKs"), among others, in the Flo App through which Flo allegedly shared information with Flurry, Meta and Google related to Flo App users' menstruation and/or pregnancy. Plaintiffs claimed the alleged disclosure of this personal health information violated certain state and federal laws. Defendants deny the claims and that they did anything wrong. Flurry, Google, and Flo agreed to settle with Plaintiffs solely to eliminate the uncertainties, burden, expense, and delay of further protracted litigation; they have not admitted any wrongdoing as part of the Settlements.

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Who is included in the Settlements?
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Unless you are excluded, you are a member of the nationwide Class if you used the Flo App in the United States between November 1, 2016 and February 28, 2019; *and* you entered menstruation and/or pregnancy information into the Flo App during that time.

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What do the Settlements provide?
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What are my rights and options?
If you are a Class Member, you can participate in and will be bound by the Settlements with Google, Flo, and Flurry, and all related orders and judgments.

If you did not exclude yourself, you may object to the Settlements by **October 8, 2026**. Details on how to object are contained in the Long Form Notice at www.PeriodTrackerDataPrivacyLitigation.com. The Court will hold a hearing on **October 29, 2026 at 11:00 a.m. Pacific Time** to consider whether to approve the Settlements and requests for attorneys' fees up to 32.5% of the Settlement Fund (20% of the Flurry Settlement, and 33.3% of the Settlements with Flo and Google), Litigation Expenses up to $3,600,000, and service awards up to $155,000 for the named Plaintiffs. You or your own lawyer may appear and speak at the hearing at your own expense. Please check the website for updated information.

FOR MORE INFORMATION
www.PeriodTrackerDataPrivacyLitigation.com 1-866-778-9626

EXHIBIT F

Outlook

Test - Notice of Class Action Settlement - Flo Health Data Privacy

From Period Tracker Data Privacy Litigation <help@mg.abdataclassactionmail.com>
Date Wed 7/29/2026 8:55 AM
To Heather Littrell <heather.littrell@abdata.com>

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

COURT-AUTHORIZED LEGAL NOTICE

Did You Use the Flo App

Between November 1, 2016 and February 28, 2019?

You may be eligible to receive money from

$59.5 MILLION

in settlements.



Our records indicate you have NOT YET FILED A CLAIM

To be eligible for payment, you must submit your claim no later than October 15, 2026.

FILE YOUR CLAIM



unsubscribe

EXHIBIT G

COURT-AUTHORIZED LEGAL NOTICE

DID YOU USE THE FLO APP

Between November 1, 2016 and February 28, 2019?

You May Be Entitled to Money from

$59.5 MILLION

in Settlements.



00000001

DID YOU USE THE FLO APP

Between November 1, 2016 and February 28, 2019?

You May Be Entitled to Money from

$59.5 MILLION in Settlements

OUR RECORDS SHOW YOU HAVE NOT YET FILED A CLAIM
To receive money from the settlement,
you must submit a claim by October 15, 2026

IT'S EASY TO FILE A CLAIM:

1 SCAN THE QR CODE

Use your phone's camera to access the claim form.

2 COMPLETE THE CLAIM FORM

Enter your information and answer a few questions.

3 SUBMIT BY OCTOBER 15, 2026

Submit your form by the deadline to receive your payment.

SCAN HERE TO FILE YOUR CLAIM

Or visit our website to get started.

Period Tracker Data Privacy Litigation, *Frasco, et al. v. Flo Health, Inc., et al.*, No. 3:21-cv-00757 (N.D. Cal.).

00000001

MORE INFORMATION:

CALL
(866) 778-9626

WRITE
Period Tracker Data Privacy Litigation
c/o A.B. Data, Ltd.
P.O. Box 173126
Milwaukee, WI 53217

VISIT
www.PeriodTrackerDataPrivacyLitigation.com

EMAIL
info@PeriodTrackerDataPrivacyLitigation.com

Period Tracker Data Privacy Litigation
P.O. Box 173126
Milwaukee, WI 53217

EXHIBIT H

Court-Authorized Legal Notice

IF YOU USED THE FLO APP ANYTIME BETWEEN NOVEMBER 1, 2016 AND FEBRUARY 28, 2019

You Could Get Money from $59.5 Million in Settlements

Period Tracker Data Privacy Litigation
c/o A.B. Data, Ltd.
P.O. Box 173126
Milwaukee, WI 53217

You could get money from $59.5 Million in class action Settlements if you used the Flo App between November 1, 2016, and February 28, 2019.

Our records show you have not yet filed a claim.

To get money from these Settlements, you must file a claim.
The deadline to submit your claim is **October 15, 2026**.

To Submit Your Claim, Please Scan the QR Code Below:

For More Information:

Visit: www.PeriodTrackerDataPrivacyLitigation.com

Email: info@PeriodTrackerDataPrivacyLitigation.com
Call: (866) 778-9626
Write to: Period Tracker Data Privacy Litigation, P.O. Box 173126, Milwaukee, WI 53217

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EXHIBIT I

AB1

Message from Labaton Keller Sucharow LLP
Did you use the Flo Health App? You may qualify for a share of $59.5 million in settlements. Learn more and file a claim at: https://mybiz.cc/mFb1a

Also, if you lived in California, you may soon be entitled to claim $5,000, minus fees, from a jury verdict against Meta for wiretapping Flo users.
Reply STOP to cancel msg&data rates may apply

AB2

Message from Labaton Keller Sucharow LLP

If you used the Flo Health App, you may be eligible to receive part of $59.5 million in settlements. Get more information and file a claim at: https://mybiz.cc/rcuvb

Also, if you lived in California, you may soon be entitled to claim $5,000, minus fees, from a jury verdict against Meta for wiretapping Flo users. Reply STOP to cancel msg&data rates may apply

AB3

Message from Labaton Keller Sucharow LLP:
Used the Flo Health App? You may be entitled to a share of $59.5 million in settlements. See the details and file a claim at: https://mybiz.cc/Mjyv1

Also, if you lived in California, you may soon be entitled to claim $5,000, minus fees, from a jury verdict against Meta for wiretapping Flo users. Reply STOP to cancel msg&data rates may apply

70624

AB4

Message from Labaton Keller Sucharow LLP:
Flo Health App users may be eligible for a share of $59.5 million in settlements. Check your eligibility and file a claim at: https://mybiz.cc/WtXj7

Also, if you lived in California, you may soon be entitled to claim $5,000, minus fees, from a jury verdict against Meta for wiretapping Flo users. Reply STOP to cancel msg&data rates may apply

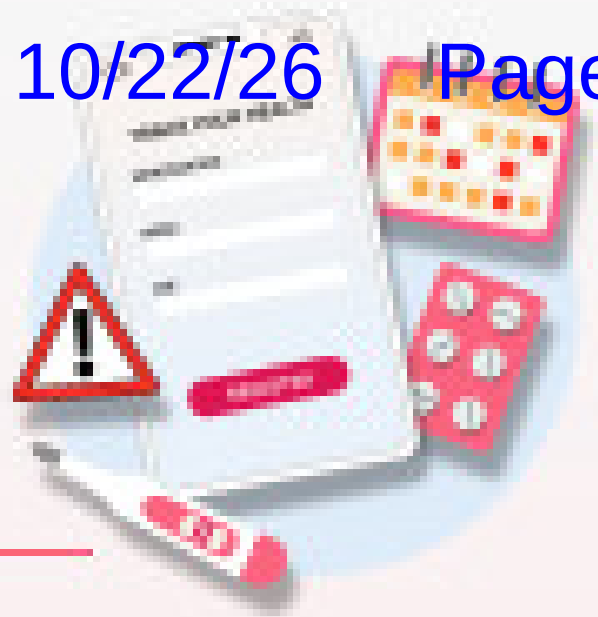
AB5

Used the Flo Health App? You may be entitled to a share of $59.5 million in settlements. See the details and file a claim at: https://mybiz.cc/UXBOF

Also, if you lived in California, you may soon be entitled to claim $5,000, minus fees, from a jury verdict against Meta for wiretapping Flo users. Reply STOP to cancel msg&data rates may apply

EXHIBIT J

Did You Use the FLO App?



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You May Be Entitled to Receive Money from

$59.5 MILLION

in Settlements

FILE A CLAIM

PeriodTrackerDataPrivacyLitigation.com



Did You Use the FLO App?

Between November 1, 2016 and February 28, 2019?

You May Be Entitled to Receive Money from

$59.5 MILLION

in Settlements

FILE A CLAIM

991K

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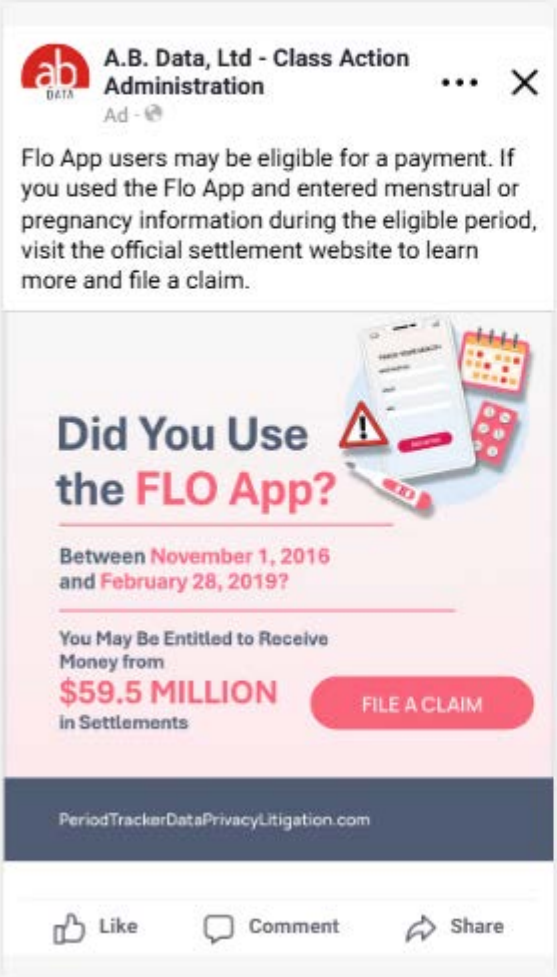
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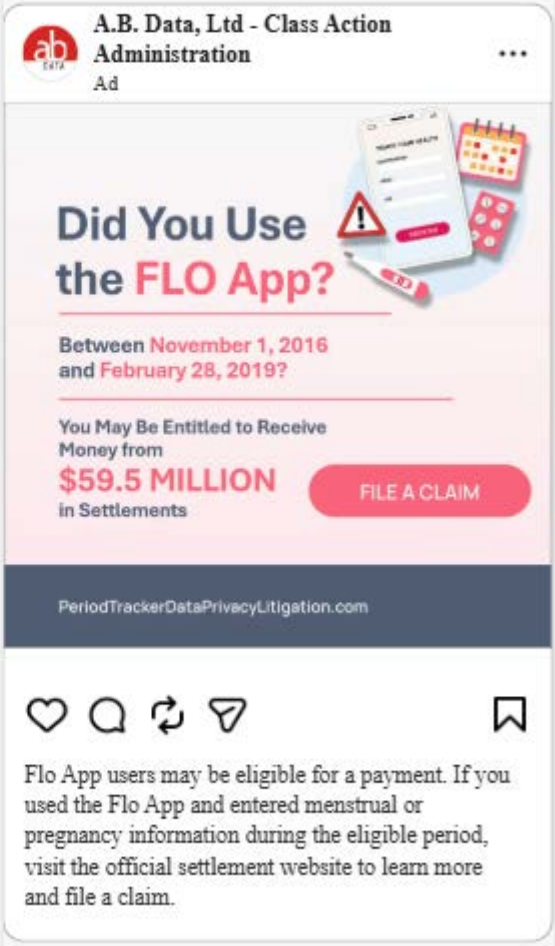
Did you use Flo App? You may qualify for a privacy settlement. File your claim today.

PeriodTrackerDataPrivacyLitigation.com

Sponsored

Home Friends Inbox Me


A.B. Data, Ltd - Class Action Administration
Ad -
Flo App users may be eligible for a payment. If you used the Flo App and entered menstrual or pregnancy information during the eligible period, visit the official settlement website to learn more and file a claim.
Did You Use the FLO App?
Between November 1, 2016 and February 28, 2019?
You May Be Entitled to Receive Money from
$59.5 MILLION
in Settlements
FILE A CLAIM
PeriodTrackerDataPrivacyLitigation.com
Like
Comment
Share


A.B. Data, Ltd - Class Action Administration
Ad
Did You Use the FLO App?
Between November 1, 2016 and February 28, 2019?
You May Be Entitled to Receive Money from
$59.5 MILLION
in Settlements
FILE A CLAIM
PeriodTrackerDataPrivacyLitigation.com
Flo App users may be eligible for a payment. If you used the Flo App and entered menstrual or pregnancy information during the eligible period, visit the official settlement website to learn more and file a claim.

www.periodtrackerdataprivacylitigation.com

Flo App Settlement - Submit Your Claim Today

Flo App users may qualify to receive money from $59.5 Million in Settlements. Learn more and file a claim today.



Did You Use the FLO App?

Between November 1, 2016 and February 28, 2019?

You May Be Entitled to Receive Money from

$59.5 MILLION

in Settlements

FILE A CLAIM

PeriodTrackerDataPrivacyLitigation.com

Visit site

Flo App Settlement

EXHIBIT K

Flo Flurry Google Settlement 30-second Radio Script

Hey! Did you use the Flo Period and Ovulation Tracker app between November 2016 and February 2019?

You could get money from Settlements totaling $59.5 million dollars.

Submitting a claim is easy, but you must act now! Claim forms must be submitted by October 15, 2026.

For more information or to submit a claim, visit Period Tracker Data Privacy Litigation dot com -- or call 1-866-778-9626.

Paid for by the Period Tracker Data Privacy Litigation Settlements.

EXHIBIT L

Outlook

Test - Time Is Running Out To File Your Claim

From Period Tracker Data Privacy Litigation <help@mg.abdataclassactionmail.com>
Date Mon 9/28/2026 1:09 PM
To Heather Littrell <heather.littrell@abdata.com>

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Flo App Class Action Settlement

COURT AUTHORIZED
LEGAL NOTICE

DID YOU USE THE FLO APP?

between 11/1/2016 and 2/28/2019

TIME IS RUNNING OUT TO FILE YOUR CLAIM



CLAIM DEADLINE: October 15, 2026

FILE MY CLAIM TODAY

If you used the Flo App between November 1, 2016 and February 28, 2019, you may be entitled to a payment from $59.5 million in Settlements arising from claims that Flo Health Inc., Flurry, Inc., and Google LLC used software code embedded in the Flo App to record users' confidential in-app health communications without their consent.

Flo, Flurry, and Google deny these allegations.



You Could Get Money from
$59.5 MILLION
IN SETTLEMENTS

CLAIM DEADLINE: OCTOBER 15, 2026

FILE A CLAIM

Learn more at
PeriodTrackerDataPrivacyLitigation.com
(866) 778-9626

unsubscribe

EXHIBIT M

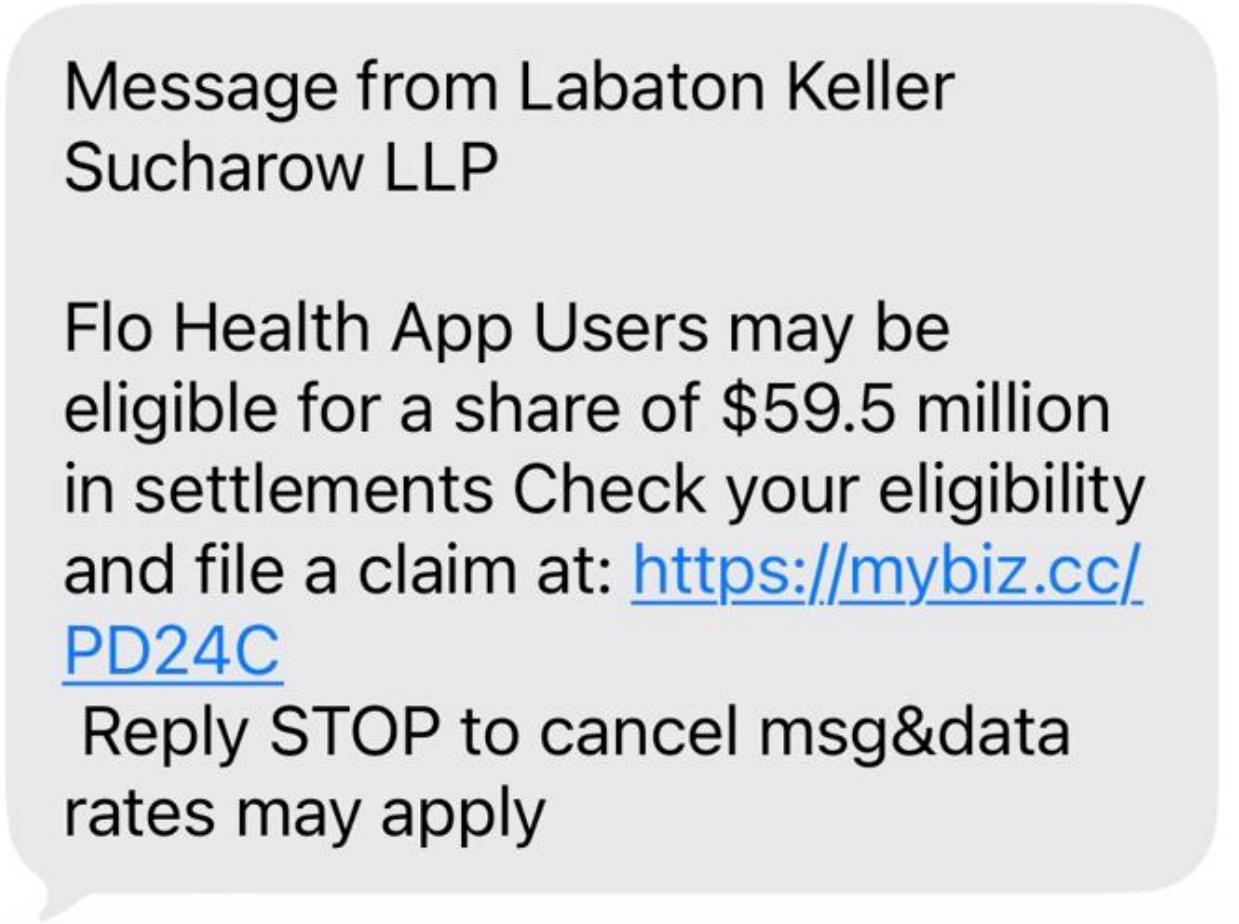

Message from Labaton Keller Sucharow LLP
Flo Health App Users may be eligible for a share of $59.5 million in settlements Check your eligibility and file a claim at: https://mybiz.cc/PD24C
Reply STOP to cancel msg&data rates may apply

EXHIBIT N

DID YOU USE THE FLO APP?

TIME IS RUNNING OUT TO FILE YOUR CLAIM



You Could Get Money from

$59.5 MILLION

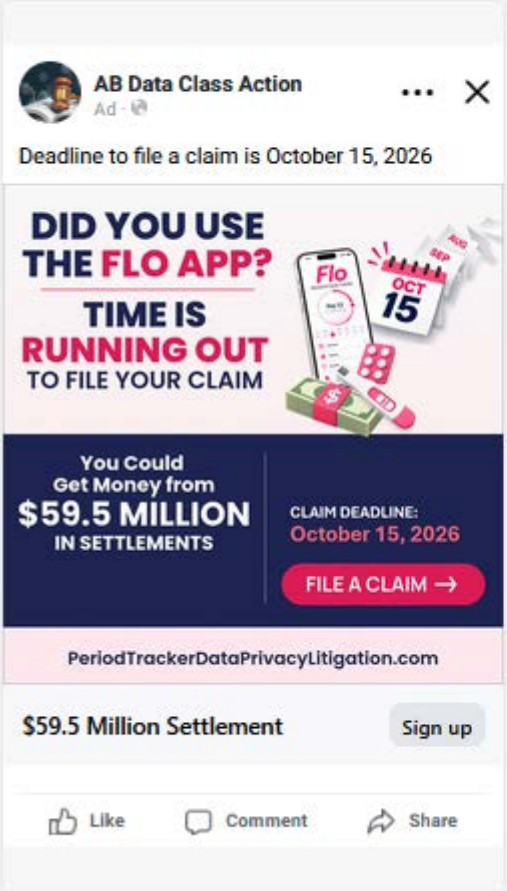
IN SETTLEMENTS

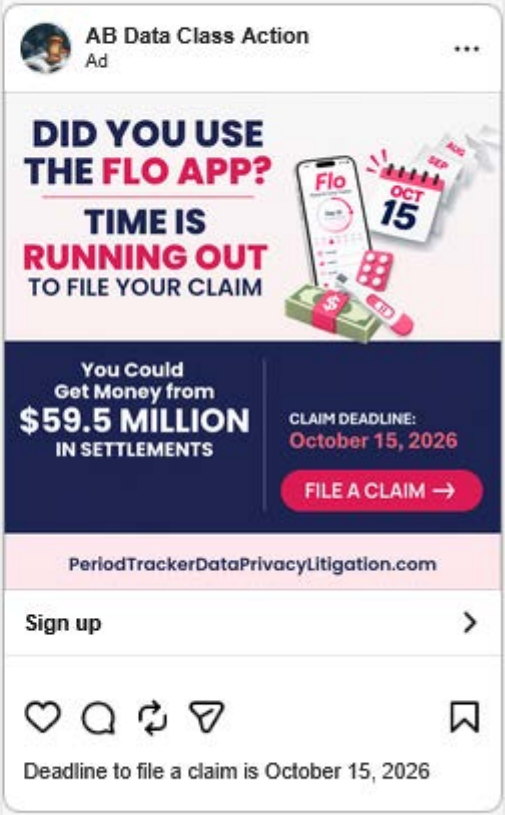
CLAIM DEADLINE:

October 15, 2026

FILE A CLAIM →

PeriodTrackerDataPrivacyLitigation.com


AB Data Class Action
Ad
Deadline to file a claim is October 15, 2026
DID YOU USE THE FLO APP?
TIME IS RUNNING OUT TO FILE YOUR CLAIM
You Could Get Money from $59.5 MILLION IN SETTLEMENTS
CLAIM DEADLINE: October 15, 2026
FILE A CLAIM →
PeriodTrackerDataPrivacyLitigation.com
$59.5 Million Settlement
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Ad
DID YOU USE THE FLO APP?
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CLAIM DEADLINE: October 15, 2026
FILE A CLAIM →
PeriodTrackerDataPrivacyLitigation.com
Sign up
Deadline to file a claim is October 15, 2026

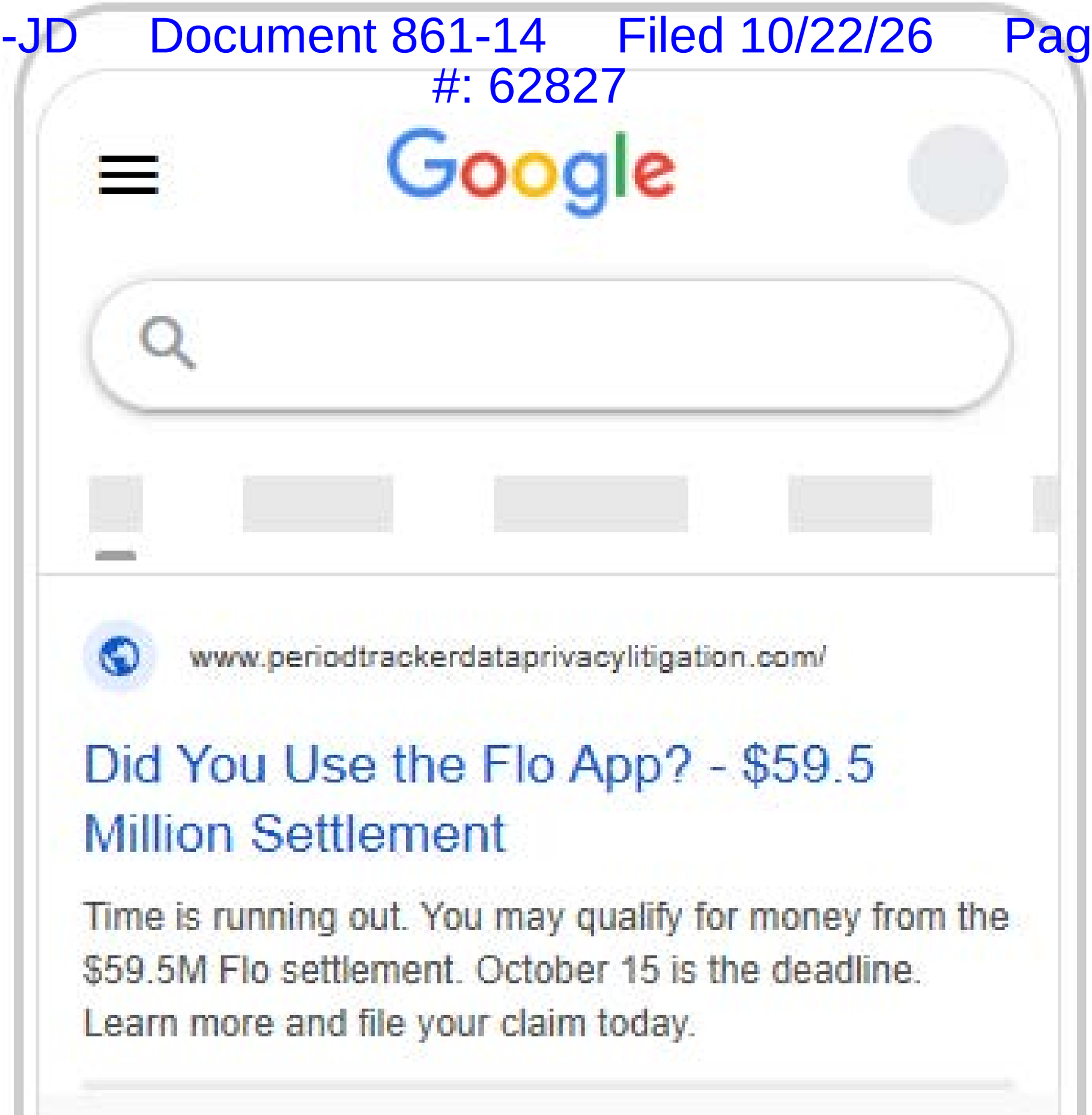


Sign up

Class Action Administration

Flo App Settlement

Sponsored


Google
www.periodtrackerdataprivacylitigation.com/
Did You Use the Flo App? - $59.5 Million Settlement
Time is running out. You may qualify for money from the $59.5M Flo settlement. October 15 is the deadline. Learn more and file your claim today.

In feed

Ad variations

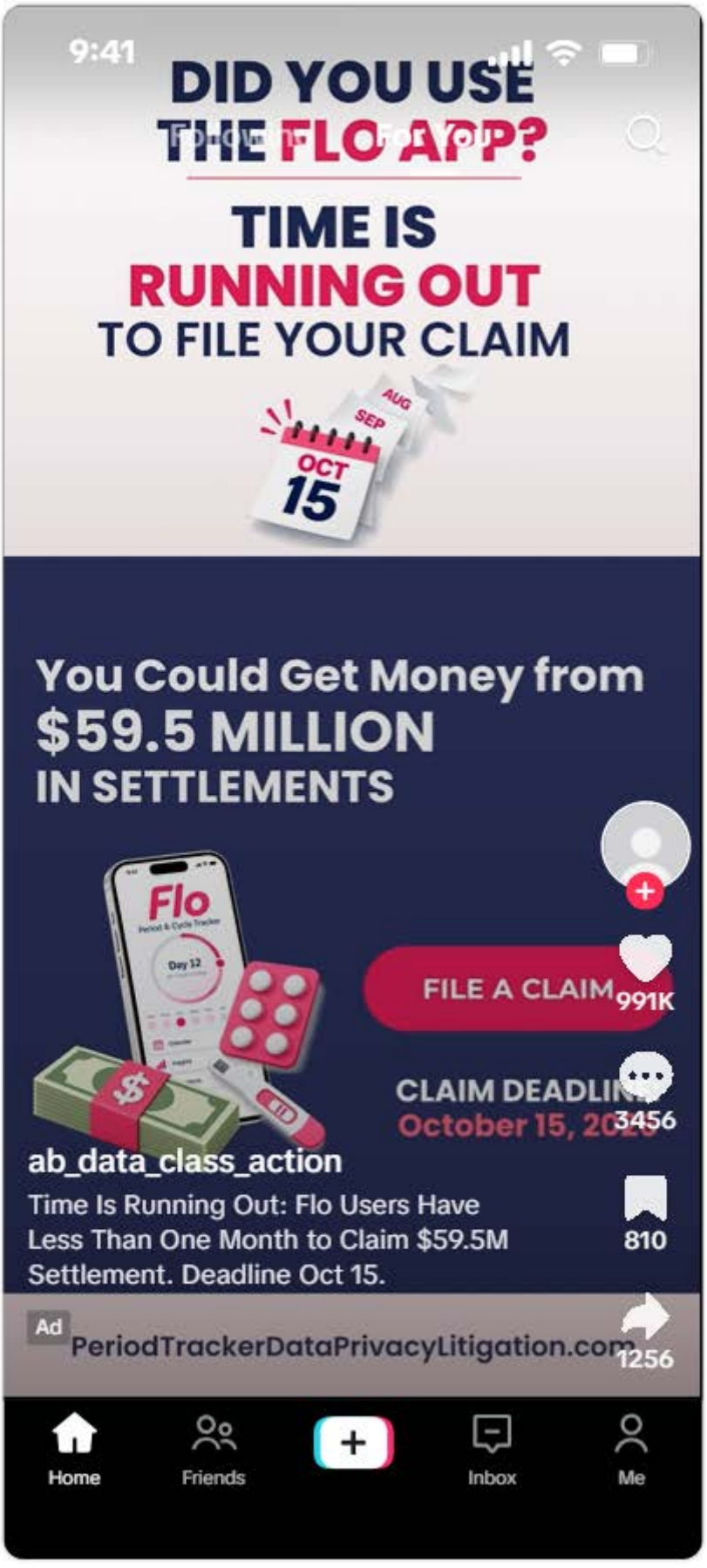


EXHIBIT O

94233 AB Data Flo Health Settlement Amplification Storyboard

1.



IF YOU USED THE FLO APP

Between November 1, 2016 and February 28, 2019

2.

YOU MAY BE ELIGIBLE
FOR A PAYMENT FROM SETTLEMENTS TOTALING...



3.



$59.5 MILLION



4.

BUT THE DEADLINE IS OCTOBER 15, 2026



5.



TIME IS RUNNING OUT

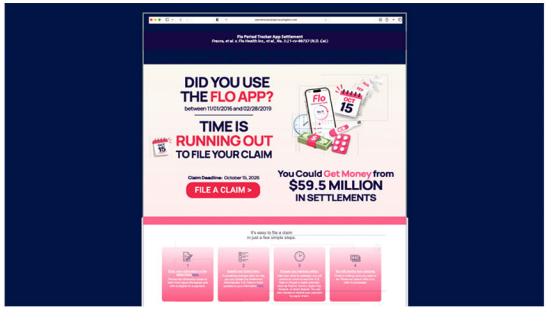
Our records indicate you have NOT YET FILED A CLAIM
To be eligible for payment, you must submit your claim no later than October 15, 2026.

6.

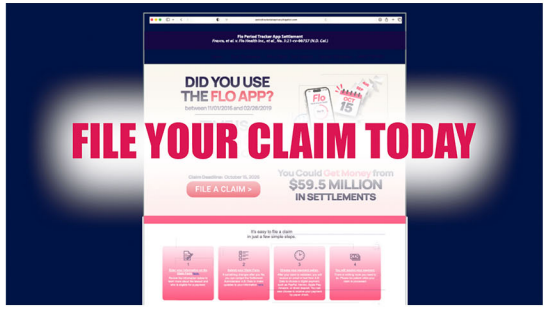
GO TO:
PeriodTrackerDataPrivacyLitigation.com
OR CALL
1-866-778-9626

94233 AB Data Flo Health Settlement Amplification Storyboard, cont.

7.



8.



9.

Paid for by the Period Tracker Data Privacy Litigation Settlements.

This exhibit is comprised of the storyboard used to create the TV advertisement some minor edits were made in production.

EXHIBIT P

Phase III Radio Script:

LAST CHANCE TO FILE.
If you used the Flo app between November 2016 and February 2019, you may be eligible for a payment from settlements totaling $59.5 million. But the deadline is October 15, 2026.

Time is running out. Go to Period Tracker Data Privacy Litigation dot com or call 1-866-778-9626. File your claim today.

EXHIBIT Q

EXCLUSIVE INTERVIEW

GMA'S WILL REEVE REVEALS HIS BATTLE WITH CANCER

People



Dolly Parton Estate Feud

Inside the Shocking Family Drama

EXCLUSIVE · People · EXCLUSIVE

WYNONNA JUDD

'This Is the Most Honest I've Ever Been'

The country star gets 'raw and real' about finding forgiveness for late mom Naomi and raising her 4-year-old grandchild as her daughter is in jail

October 12, 2026

COURT AUTHORIZED LEGAL NOTICE

DID YOU USE THE FLO APP?

TIME IS RUNNING OUT TO FILE YOUR CLAIM

If you used the Flo App between November 1, 2016 and February 28, 2019, you may be entitled to a payment from $59.5 Million in Settlements arising from claims that Flo Health Inc., Flurry, Inc., and Google LLC used software code embedded in the Flo App to record users' confidential in-app health communications without their consent.

Flo, Flurry, and Google deny these allegations.



You Could Get Money from $59.5 MILLION IN SETTLEMENTS

CLAIM DEADLINE: OCT 15

It's Easy to File Your Claim Today!

Scan Here

Learn more at
PeriodTrackerDataPrivacyLitigation.com

People fun ga



"It's like for a moment nothing bad can happen to you," Scialfa said of being onstage with Springsteen. "You go through every emotion every night."

IN THE NEWS: 1988

Weddings

Socialite **Lee Radziwill,** 55, tied the knot with director **Herbert Ross,** 61, at her New York City apartment. It was her third marriage and his second.

Mary McDonough, 27, reunited her onscreen family from the TV drama *The Waltons* for her marriage to actor **Rob Wickstrom.**

Expecting

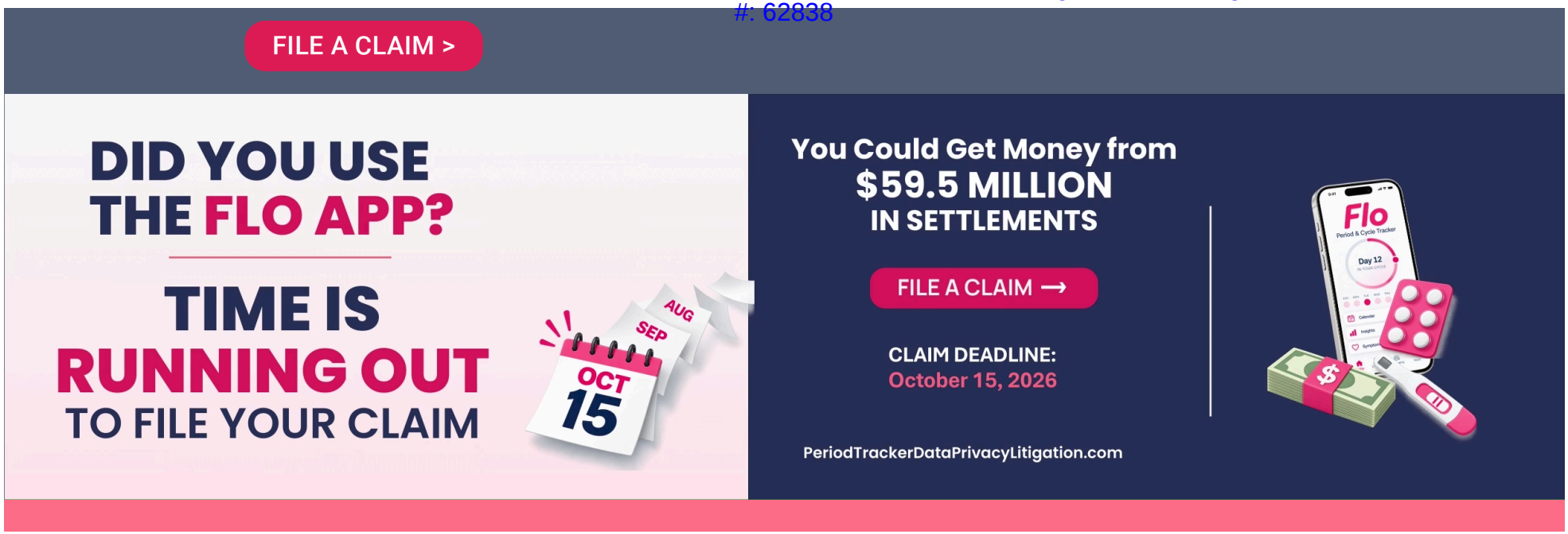
St. Elsewhere's **Cindy Pickett,** 41, was expecting her first baby with *Ferris Bueller's Day Off* actor **Lyman Ward,** 47.

'How the hell should I know? I'm never there'

–DOLLY PARTON, on how long it takes to do her hair for *Steel Magnolias*

By BRENDAN LE

EXHIBIT R



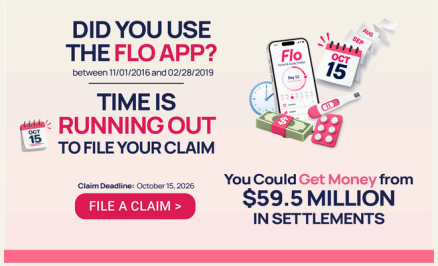
Time Is Running Out: Flo App Users Have Less Than One Month to Claim Their Share of $59.5 Million Settlements — Deadline Is October 15, 2026

(New York City, NY) – The following is being released by the law firms Lowey Dannenberg, P.C., Labaton Keller Sucharow LLP, and Spector Caldes & Corrigan, P.C. about the lawsuit *Frasco v. Flo Health, Inc.*, No. 3:21-cv-00757 in the United States District Court for the Northern District of California.

Millions of individuals affected by a lawsuit involving Flo's Period and Ovulation Tracker App (the "Flo App") have less than 30 days to file claims for their share of $59.5 million in Settlements and are being urged to act now.

Google LLC ("Google"), Flo Health, Inc. ("Flo"), and Flurry LLC ("Flurry") agreed to settle a lawsuit alleging that Flo, Flurry, and Google used software code embedded in the Flo App to record users' confidential in-app health communications without their consent. Flo, Flurry, and Google deny these allegations and deny any wrongdoing.

Under the Settlements, Google will pay $48 million, Flo will pay $8 million, and Flurry will pay $3.5 million. Eligible individuals who file valid claims will get money from these Settlements.





Generally, individuals may receive money from the Settlements as a members of the nationwide Class if they used the Flo App in the United States between November 1, 2016, and February 28, 2019 ("Class Period"); *and* they entered menstruation and/or pregnancy information into the Flo App during that time. They are also included as a member of the California Subclass if they used the Flo App in California during the Class Period, entered menstruation and/or pregnancy information into the Flo App, *and* lived in California during that time.

Important Information and Dates:

- To get a payment, Class members must submit a claim form online at www.PeriodTrackerDataPrivacyLitigation.com or by mail no later than October 15, 2026. Payment amounts will depend on the number of valid claims and if the individual is a member of the California Subclass.
- Objections must be received by October 8, 2026.

Attention Flo App users: There is less than one month left to join the $59.5M settlement in Frasco v. Flo Health, Inc. The deadline to claim your share is October 15,

Read More



Learn More

www.multivu.com

Select social network: X (Twitter)

Share on X (Twitter)

- The Court will hold a hearing on October 29, 2026 to consider if it will approve the Settlements.

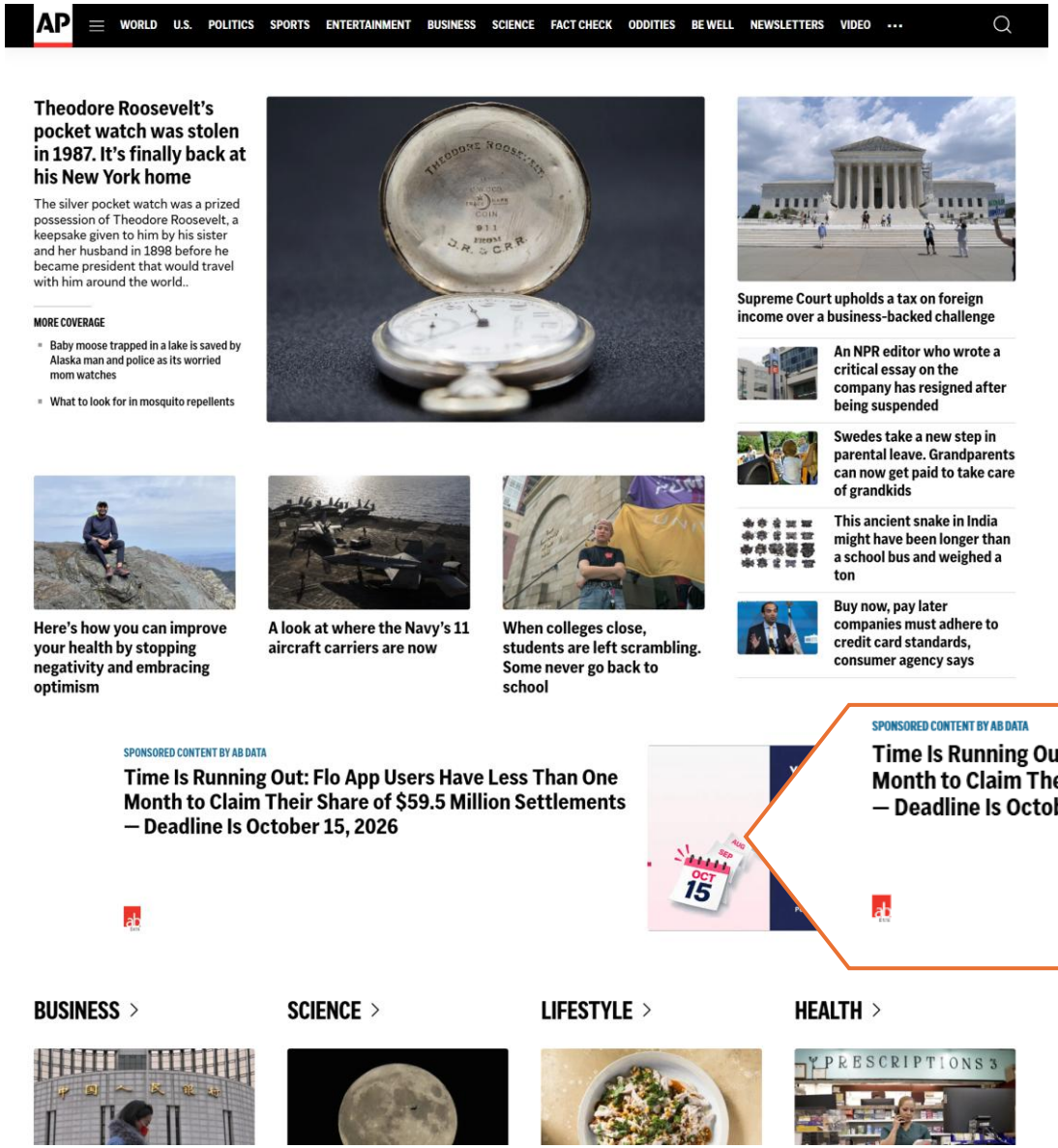
For more information:

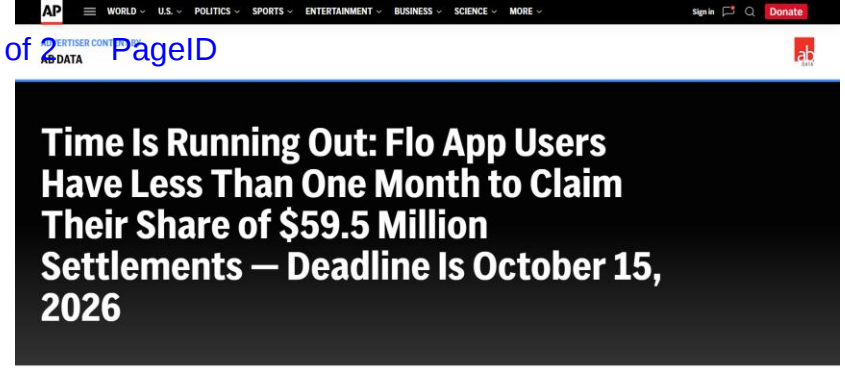
- Visit: www.PeriodTrackerDataPrivacyLitigation.com
- Email: info@PeriodTrackerDataPrivacyLitigation.com
- Call: 1-866-778-9626
- Write to: Period Tracker Data Privacy Litigation, P.O. Box 173126, Milwaukee, WI 53217

SOURCE NAME
AB Data
Email: info@PeriodTrackerDataPrivacyLitigation.com Phone: 1-866-778-9626

EXHIBIT S

Native Article Screenshot





Add AP News on Google Share Paid content provided by the advertiser. The Associated Press news staff was not involved in its creation.



Time Is Running Out: Flo App Users Have Less Than One Month to Claim Their Share of $59.5 Million Settlements — Deadline Is October 15, 2026

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Important Information and Dates:

- To get a payment, Class members must submit a claim form online at www.PeriodTrackerDataPrivacyLitigation.com or by mail **no later than October 15, 2026**. Payment amounts will depend on the number of valid claims and if the individual is a member of the California Subclass.
- Objections must be received by **October 8, 2026**.
- The Court will hold a hearing on **October 29, 2026** to consider if it will approve the Settlements.

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