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13 Attorneys for Plaintiffs Nick King, Jr.,
14 Deena Fischer, and Elena Weinberger,
15 individually, and on behalf of a class of
16 similarly situated individuals

16 **IN THE UNITED STATES DISTRICT COURT**
17 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

18 NICK KING, JR., DEENA FISCHER,
19 ELENA WEINBERGER, Individually and
20 on behalf of all others similarly situated,

21 Plaintiff,

22 v.

23 BUMBLE TRADING, INC. AND
24 BUMBLE HOLDING LTD.,

25 Defendants.
26
27
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Case No. 5:18-cv-06868-NC

Hon. Nathanael Cousins

DECLARATION OF ELENA WEINBERGER

1 I, Elena Weinberger, state and declare as follows:

2 1. I am over the age of 18 years. I am a named plaintiff in the lawsuit entitled *King,*
3 *et al. v. Bumble Trading, Inc., et al.*, No. 5:18-cv-06868-NC. I have personal knowledge of the
4 facts stated in this declaration, and if called as a witness, could and would testify competently to
5 the truth of the facts as stated herein.

6 2. I am currently a third-year law student at Santa Clara University. On or around
7 September 30, 2018, I was browsing the free version of the Bumble app when an advertisement
8 for Boost was served to me in the software application. I tried to exit the screen, but instead I
9 was enrolled into a 6-month option for Bumble Boost at a cost of \$79.99. I immediately wrote to
10 Bumble explaining the situation and informed Bumble that “I did not mean to do this and I’m a
11 poor law student that doesn’t have \$80 to waste!! Please help!!”

12 3. I requested a refund. I also pointed out to Bumble that “you advertise yourself as
13 student friendly and the placement of that advertisement is predatory to trick young people into
14 purchasing things.” In response, Bumble pointed to their Terms and Conditions and denied my
15 request for a refund.

16 4. When Bumble refused my refund request, I contacted my attorneys. I then
17 decided to become a named plaintiff in this class action. This whole process was new to me as I
18 had never sought to be a class representative before. But I brought this case because I felt that
19 Bumble’s practices were unfair and illegal. I did this even though I knew that being a potential
20 class representative would be a substantial time commitment and would make public something I
21 consider private — my experience with an online dating app. I chose to file a lawsuit and sought
22 to be a class representative because I wanted to hold Bumble accountable for the way it treated
23 consumers like myself, and to get Bumble to change its practices. Bringing this class action was
24 very important to me given Bumble’s targeting of college students and other impressionable
25 groups.

26 5. Despite having been a busy first-year law student when I joined as a named
27 plaintiff, I devoted many hours to this case. I worked with my attorneys in the initial
28

1 investigation by providing documents, answering all questions they had, and I reviewed and
2 approved drafts of all four complaints.

3 6. I have remained in regular contact with my attorneys from their initial
4 investigation of my case through the class settlement and approval process. I was involved in
5 legal and strategic decisions with my attorneys as to whether and how to proceed after my initial
6 claims under California law were dismissed. I participated in many lengthy phone calls with my
7 attorneys. I timely responded to numerous requests for information and I reviewed and signed
8 documents required of me. I also met with some of my attorneys in person in Santa Clara to
9 begin to prepare for a deposition, discuss the case, and to understand what I could do to help with
10 the case progression. I worked with my attorneys to answer written discovery requests and
11 provided documents in my possession to assist my attorneys with the case. I searched for
12 relevant from all possible sources and provided this information to my attorneys.

13 7. I made myself available to participate in the mediation. I stayed in close contact
14 with my attorneys throughout the case, provided dates for my deposition, and followed up on the
15 status of the mediation. I reviewed the proposed settlement terms and contributed my thoughts
16 to any proposed injunctive relief provisions. I am pleased with the settlement and am very happy
17 that consumers across the nation will be able to receive refunds and have cancellation rights that
18 were denied to me when I cancelled and tried to obtain a refund.

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

21 Dated on 10/8/2020 at Phoenix, Arizona

(city)

DocuSigned by:

ELENA WEINBERGER

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Elena Weinberger