1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	UNITED STATES D WESTERN DISTRICT AT SEA ADRIENNE BENSON and MARY SIMONSON, individually and on behalf of all others similarly situated, <i>Plaintiffs</i> , <i>v</i> . DOUBLEDOWN INTERACTIVE, LLC, a Washington limited liability company, INTERNATIONAL GAME TECHNOLOGY, a Nevada corporation, and IGT, a Nevada corporation, <i>Defendants.</i>	<b>OF WASHINGTON</b>
15 16	v. DOUBLEDOWN INTERACTIVE, LLC, a Washington limited liability company, INTERNATIONAL GAME TECHNOLOGY, a	
19	corporation,	
23 24 25		
23 26 27		
	DECLARATION OF TODD LOGAN	EDELSON PC

1. Pursuant to 28 U.S.C. § 1746, I declare and state as follows: 2. I am a Partner at Edelson PC, which has been retained to represent Plaintiffs in the above-captioned matter. I am entering this declaration in support of Plaintiffs' Motion for

Final Approval of Class Action Settlement Agreement.

3. 5 I have personal knowledge of the matters stated herein and, if called upon, I could and would competently testify thereto.

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8 4. I understand from the Settlement Administrator that the data provided by the 9 Platform Providers (Amazon, Apple, Meta, and Google) was sufficient to calculate the Lifetime 10 Spending Amount for the Class from April 1, 2014 (i.e., within a four-year statute of limitations 11 period) through June 30, 2022 (the date the Parties used during settlement negotiations), and the 12 all-time Total Lifetime Spending Amount for all released claims (through November 14, 2022).

13 5. I reviewed DoubleDown Interactive's Quarterly SEC filings and calculated the At-Issue Adjusted Claims Rate, defined as the approximate Lifetime Spending Amount for the 14 15 Class during the four-year statute of limitations period beginning April 1, 2014, through the date 16 that the Court granted preliminary approval (November 14, 2022). To achieve this, I calculated 17 the Spending Amount from July 1 to November 14, 2022 by taking DoubleDown's total revenue 18 for the third quarter of 2022 (July 1 through September 30, 2022) (\$78,800,000.00), plus the total 19 revenue for half of the fourth quarter, representing revenue from October 1 to November 14, 20 2022 (\$38,100,000,00), and multiplied that by the percentage of total revenue generated in the 21 United States (87.85%) for a total of \$102,696,650.00. I then added this to the previously 22 calculated Lifetime Spending Amount for the Class from April 1, 2014 through June 30, 2022 23 (\$2,090,068,158.51) for a total of \$2,192,764,808.51.

6. 24 The timely submitted claims are associated with at least \$594,423,645.63 million 25 in Lifetime Spending Amount. See Baessler Decl. ¶ 25. The Lifetime Spending Amount for the 26 Class from April 1, 2014, to November 14, 2022, was approximately \$2,192,764,808.51. The 27 former dollar figure divided by the latter produces an At-Issue Adjusted Claims Rate of 27.11%.

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7. In response to subpoenas Edelson PC served on Apple, Google, and Facebook (the "Platforms") in April 2020, the Platforms produced transaction data for purchases of virtual chips in DoubleDown Casino by United States-based users. The Platform Providers ultimately provided Class Counsel with sufficient data to effectuate the Notice Plan.

8. In response to discovery requests Edelson PC served on Defendants throughout 6 the litigation, Defendants produced transaction data for purchases of virtual chips in 8 DoubleDown Casino by all U.S.-based users. Defendants also produced tens of thousands of internal company documents and communications about their business structure, strategies, and practices. In all, the Parties exchanged approximately 325,000 pages of documents in discovery. 10

9. Between March and August 2021, Defendants took (and Class Counsel defended) 11 12 the depositions of Adrienne Benson, Mary Simonson, and six other members of the proposed 13 Class (Patrick Bailey, Sandra Logan, Deborah Raymond, Jan Saari, Olivia Werner, and Catherine Witt). 14

10. During the same period, Class Counsel took Rule 30(b)(6) depositions of 15 DoubleDown, International Game Technology, and IGT, as well as depositions of four other 16 DoubleDown employees (Alex Entrikin, Jude Cooper, Julie Frederick, and Leslie Keddie) and 18 two of Defendants' proposed expert witnesses (Dr. Marc Potenza and Dr. Daniel Sahl).

11. During this period, the Parties engaged in near-constant correspondence and conferral efforts, including telephonically, regarding discovery and other litigation issues.

12. Though Edelson PC engaged in intermittent settlement talks with Defendants over the course of litigation, including in September 2021 at Court-ordered settlement conferences, settlement talks renewed in earnest in June 2022. The Parties agreed to schedule a videoconference mediation session on July 28, 2022 with Niki Mendoza of Phillips ADR.

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In the weeks leading up to that July 28 mediation date, Edelson PC was in
 frequent communication with Defendants and with the Phillips ADR team, submitted mediation
 briefs, and supplemented that briefing with telephonic and written correspondence with
 Defendants and the Phillips ADR team.

5 14. On July 28, Edelson PC and Defendants participated in a more-than-full day
6 mediation session via videoconference, but did not reach a resolution that day.

7 15. In August 2022, with the benefit of the Court's order on Plaintiffs' Motion for
8 Temporary Restraining Order, the Parties (through Phillips ADR) re-engaged in settlement
9 efforts and engaged in daily communication with Phillips ADR.

10 16. On August 23, 2022, the Parties reached an agreement in principle on the material
11 terms of a class action settlement, and they executed a Term Sheet on August 26, 2022.

17. For the next few weeks, the Parties continued negotiating the details of the full class action settlement, exchanged multiple rounds of a working settlement document and exhibits, met and conferred telephonically to iron out remaining disputes, vetted and engaged a settlement administrator, and began meeting and conferring with the Platform Providers to design a robust notice and administration plan.

18.On September 19, 2022, the Parties completed execution of the Settlement8.Agreement.

19. In my professional judgment, if Plaintiffs tried this case to verdict, there would be subsequent appeals that would likely take years to resolve. In my professional judgment, the expense and burden associated with litigating this through both trial and appeals militate in favor of granting final approval.

20. The court-appointed Settlement Administrator in this case has confirmed to Edelson PC that the Settlement Administration Expenses are anticipated not to exceed \$3,000,000.

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DECLARATION OF TODD LOGAN CASE NO. 18-CV-525-RSL

21. I anticipate the gross Class recovery to be approximately 19.5% of Class Members' Lifetime Spending Amount during the applicable 4-year limitations period.

3 22. Based on my experience with settlements in the related cases, I anticipate that 4 participating Settlement Class Members in the highest category of Lifetime Spending Amounts 5 will likely recover gross payments in excess of 60% of their losses from April 2014 through the 6 present, and that participating Class Members in the lowest category of Lifetime Spending 7 Amounts will likely recover gross payments in excess of 20% of their losses from April 2014 8 through the present.

9 23. Based on publicly available records, I understand that the market capitalization of 10 DoubleDown Interactive was approximately \$482.65 million as of October 2022, and that its net 11 income in 2021 was \$78.2 million.

12 24. Like the settlements in *Kater*, *Playtika*, *Huuuge*, *Scientific Games*, and *Zynga*, 13 Edelson PC predicts based on their experience that the highest spenders-those who lost more 14 than \$100,000—will likely recover more than half of their losses.

15 25. To my knowledge, prior to the Kater case, no class action had ever before alleged 16 claims for recovery under Washington's Recover of Money Lost at Gambling Act ("RMLGA"). Certainly, no class action had ever before alleged claims under Washington's RMLGA against 18 social casino companies.

26. Even after the Ninth Circuit's opinion in *Kater*, Edelson PC was the only law firm to file RMLGA claims regarding Defendants' social casino applications.

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

Executed on May 2, 2023 at San Francisco, California.

/s/ Todd Logan

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