

1 Matthew C. Helland, CA Bar No. 250451
2 mhelland@nka.com
3 NICHOLS KASTER, LLP
4 235 Montgomery St., Suite 810
5 San Francisco, CA 94104
6 Tel.: 415.277.7235; Fax: 415.277.7239

7 E. Michelle Drake, MN Bar No. 0387366*
8 emdrake@bm.net
9 John Albanese, MN Bar No. 0395882*
10 BERGER & MONTAGUE, P.C.
11 43 SE Main Street, Suite 105
12 Minneapolis, MN 55414
13 Tel.: 612.594.5999; Fax: 612.584.4470
14 *pro hac vice

15 *Attorneys for Plaintiff and the Proposed Classes*

16 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
17 **COUNTY OF SANTA CLARA**

18 IAN DOUGLAS, individually, as a
19 representative of the class, and on behalf
20 of the general public

21 Plaintiff,

22 v.

23 DHI GROUP, INC. and DICE INC.,

24 Defendants.

Case No.: 18-cv-331732

DECLARATION OF IAN DOUGLAS

Hon. Thomas E. Kuhnle

Date: August 2, 2019

Time: 9:00 AM

Location: Department 5

25 I, Ian Douglas, hereby declare as follows:

26 1. I am over the age of eighteen and I have personal knowledge of the facts set
27 forth in this Declaration, and if called as a witness for this purpose, I could and would testify
28 competently under oath to them.

1 2. I am the Named Plaintiff in the above-captioned action. I submit this
2 Declaration in support of Plaintiff's Unopposed Motion for Attorneys' Fees, Costs, and
3 Class Representative Service Award.

1 3. I value my privacy and take great efforts to protect my privacy. In 2016, I
2 was growing increasingly frustrated by contacts from aggressive recruiters for jobs where
3 my qualifications did not meet the job requirements. Consequently, I deactivated my
4 voluntary profile on Dice.com which I had not updated for many years.

5 4. In January and February 2017, I was contacted by recruiters for jobs that did
6 not match my skill set. I found out from one recruiter that he had obtained the information
7 through Dice’s Open Web product. I immediately contacted Dice and asked them to delete
8 the Open Web profile.

9 5. To raise awareness regarding the issue with Dice Open Web, I also
10 documented and posted information regarding my experience on my personal website,
11 www.iandouglas.com. I also reached out to the lawyers who handled a case against
12 TalentBin, which I understood to be a similar product to Dice Open Web.

13 6. In May 2017, I met in person with Michelle Drake and John Albanese to
14 discuss the case.

15 7. I have stayed actively involved throughout the entire litigation with
16 numerous phone calls and emails. I provided information to counsel, reviewed and
17 provided input on the complaint, gathered documents and provided information for
18 interrogatives, and stayed informed regarding settlement negotiations. I also used my
19 technical background to provide input to Class Counsel regarding technical issues.

20 8. I reached out to my friend and colleagues to see if they had similar
21 experiences with Dice.

22 9. Throughout the case, I took my responsibilities as a Class Representative
23 seriously, always had the best interests of the class in mind, and I was fully prepared to
24 participate in every aspect of this case, including trial if necessary.

25 10. I estimate that I have spent 40-50 hours participating in this litigation from
26 documenting my experience with Dice Open Web to reviewing and approving the
27 settlement agreement.


28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

11. I have reviewed the terms of the settlement in this matter and I support the settlement.

The foregoing statement is made under penalty of perjury and is true and correct to the best of my knowledge and belief.

Date: 6/26/2019

DocuSigned by:

B500D570045B4D7...
Ian Douglas