

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

AGUSTIN CACCURI,

Plaintiff,

v.

SONY INTERACTIVE

ENTERTAINMENT LLC,

Defendant.

Case No. 3:21-cv-03361-AMO

**DECLARATION OF ERIC J. MILLER REGARDING
DISSEMINATION OF NOTICE**

I, Eric J. Miller, declare as follows:

1. I am the Senior Vice President of A.B. Data, Ltd.’s Class Action Administration Company (“A.B. Data”), whose corporate office is located in Milwaukee, Wisconsin. My business address is 5080 PGA Boulevard, Suite 209, Palm Beach Gardens, FL 33418, and my telephone number is 561-336-1801.

2. I submit this Declaration in connection with the above-referenced action (the “Action”). This Declaration is based upon my personal knowledge and upon the information provided by my associates and staff members. I have personal knowledge of the facts set forth herein and, if called as a witness, could and would testify competently thereto.

3. Pursuant to the Court’s Order Granting Preliminary Approval of Class Settlement (the “Preliminary Approval Order”), A.B. Data was responsible for effectuating notice in accordance with the notice plan approved by the Court. This Declaration details the steps taken by A.B. Data, which consisted of the following: a) direct notice to the Settlement Class Members; b) a print and digital advertising campaign; and c) a toll-free telephone number and case-specific website to address potential inquiries.

DIRECT EMAIL NOTICE

4. On April 27, 2026, A.B. Data initiated an email notice campaign to all Settlement Class Members

1 whose email addresses were available in the records provided by Defendant. Due to the size of the Class and
2 technical limitations on the volume of emails that can be transmitted in a single day, the Email Notices were
3 distributed in staggered batches over multiple days. This approach was implemented to minimize the risk of
4 triggering spam filters and to avoid internet service providers (such as Gmail and Yahoo) flagging the sender's IP
5 address for suspicious activity.

6
7 5. On May 11, 2026, A.B. Data completed the email campaign, having transmitted a total of
8 4,404,989 emails (the "Email Notices"). Of these, 7,014 were dropped, 240,692 were returned as undeliverable
9 (bounced), representing approximately 5.62% of the total transmissions, and 4,157,283 were successfully
10 delivered. This bounce rate is well below the 10% bounce-back rate associated with similar SIE matters in the
11 past. A true and correct copy of the Email Notice is attached hereto as **Exhibit A**.

12 PRINT AND DIGITAL MEDIA

13 6. Beginning on April 29, 2026, A.B. Data caused digital banner advertisements to appear on
14 various targeted premium gaming-related websites for 30 days. During the notice period, more than 5 million
15 impressions were delivered to potential Settlement Class Members, exceeding the initial goal of 1.5 million
16 impressions. (A *digital impression* refers to a single instance in which a piece of digital content—such as an
17 advertisement, social media post, or webpage—is displayed on a user's screen. It indicates that the content was
18 rendered and had the potential to be seen, regardless of whether the user actively engaged with it.). When
19 clicked, the banners directed potential Settlement Class Members to the case website
20 (www.PSNDigitalGamesSettlement.com). A sampling of the digital banner is attached hereto as **Exhibit B**.

21
22 7. The Court-approved Short-Form Notice was also disseminated in the form of a Publication
23 Notice in PC Gamer magazine. The Publication Notice appeared once as a full-page advertisement in the July
24 2026 issue, which was distributed to subscribers on May 7, 2026, and had a circulation of 158,767. A true and
25 correct copy of the Publication Notice is attached hereto as **Exhibit C**.

26 EARNED MEDIA

27
28 8. On April 29, 2026, A.B. Data caused the notice, formatted as a news release, to be disseminated
via *PR Newswire*'s US1 Newswire. This news release was distributed via *PR Newswire* to the news desks of
approximately 10,000 newsrooms across the United States, including those in general-market print, broadcast,
and digital media. A true and correct copy of the press release is attached hereto as **Exhibit D**.

9. A.B. Data also disseminated a post on the A.B. Data Class Action official account on X (formerly Twitter) on April 29, 2026, to provide information regarding the certified Settlement Classes. At the time of publication, the account had approximately 1,251 followers.

WEBSITE

10. On April 29, 2026, A.B. Data established a dedicated case-specific website, www.PSNDigitalGamesSettlement.com, to assist potential Settlement Class Members. It includes general information regarding this Action, and the proposed Settlement, including the exclusion and objection deadlines, and the date, time, and location of the Court's Fairness Hearing. A copy of the Long-Form Notice (attached hereto as **Exhibit E**), the Second Consolidated Amended Class Action Complaint, the Settlement Agreement, Revised Settlement Agreement, and Second Revised Settlement Agreement, the Preliminary Approval Order, List of Eligible Games and Plan of Allocation, and other relevant documents are posted on the website and are available for downloading.

TOLL-FREE HELPLINE

11. A.B. Data established a case-specific toll-free number, 1-877-777-9145, with an interactive voice response system and live operators, to accommodate potential Settlement Class Members with questions about the Action. The automated attendant answers the calls and presents callers with a series of choices to respond to basic questions. If callers need further help, they have the option of being transferred to a live operator during business hours. A.B. Data continues to maintain the telephone helpline and will update the interactive voice response system as necessary through the administration of the Settlement.

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

Executed this 17th day of June 2026.



Eric J. Miller

ATTESTATION PURSUANT TO LOCAL RULE 5-1(I)(3)

I hereby attest that all signatories indicated by a conformed signature (/s/) have
concurred in the filing of this document.

Dated: June 17, 2026

By: /s/ Michael M. Buchman