

YES / NO

**EXHIBITS**

CASE NO. 2019 CH 8309

DATE: 7/15/19

CASE TYPE: CLASS ACTION

PAGE COUNT: 17

**CASE NOTE**

GOOGLE CASE

---

---

---

Return Date: No return date scheduled  
Hearing Date: 11/13/2019 10:00 AM - 10:00 AM  
Courtroom Number: 2410  
Location: District 1 Court  
Cook County, IL

**12-Person Jury**

FILED  
7/15/2019 4:51 PM  
DOROTHY BROWN  
CIRCUIT CLERK  
COOK COUNTY, IL  
2019CH08309

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT, CHANCERY DIVISION**

NYLTZA MORALES, RITU  
KATHPALIA, and RITU KATHPALIA, as  
next friend of D.Z.K., a minor, each  
individually, and on behalf of all others  
similarly situated,

Plaintiffs,

v.

GOOGLE.COM, INC., a Delaware  
corporation, and GOOGLE.COM  
SERVICES, INC., a Delaware corporation,

Defendants.

No. 2019CH08309

CLASS ACTION

5774169

**CLASS ACTION COMPLAINT FOR DAMAGES AND INJUNCTIVE RELIEF,  
AND DEMAND FOR JURY TRIAL**

Plaintiffs Nyltza Morales, Ritu Kathpalia, and Ritu Kathpalia, as next friend of D.Z.K., a Minor, each individually and on behalf of the Classes defined herein below, bring this Class Action Complaint against Defendant Google LLC (“Google” or “Defendant”) for its violations of Plaintiffs’ privacy rights guaranteed under the Illinois Biometric Information Privacy Act, 740 ILCS 14/*et seq* (hereinafter “BIPA” or “The Act”). Plaintiffs allege as follows upon personal knowledge as to themselves and their own acts and experiences, and, as to all other matters, upon information and belief, including investigation conducted by their attorneys.

**NATURE OF THE ACTION**

1. Google is a company. Google is a verb. Google is a purveyor of a multitude of services available for the price of zero dollars and all of your privacy.

2. One of those services is Google Assistant, which much like Amazon’s Alexa or Apple’s Siri is a voice-based smart assistant. For example, one can say, “OK Google, when is *Toy*

*Story 4* playing today?” and Google Assistant will respond with movie times.

3. Google Assistant is embedded in innumerable devices from Google’s own Home “smart” speakers and Pixel phones to vast array of “smart” items made by other companies, such as TVs, light switches, thermostats, door locks, and even light bulbs—to name but a few.<sup>1</sup>

4. Google Assistant listens to users, records users’ voices, and responds to the users’ voice commands using speech and voice recognition technology. Google Assistant uses the users’ voice recordings to answer the users’ questions and fulfill the users’ requests. Google Assistant even learns from users’ recordings by analyzing search and voice patterns.

5. More than 1 billion Google Assistant-capable devices have been sold as of January 2019,<sup>2</sup> including more than 52 million Google Home devices.<sup>3</sup>

6. In an effort to improve the voice and speech recognition technology, Google retains every voice recording created by the user and any individual who happens to be speaking near the Google Assistant device. In other words, every time someone with a Google Assistant-enabled device says, “Hey Google, how warm will it be today?,” Google keeps a recording of the user speaking those words, as well as any follow-up statements or questions, and the statements of any other persons who just so happen to be within recording distance of the Google Assistant device.

7. As it turns out, real humans also listen to Google Assistant users’ interactions with Google Assistant—sometimes even without someone uttering the trigger word.<sup>4</sup>

8. To protect the privacy of its citizens, the Illinois General Assembly enacted the

---

<sup>1</sup> <https://assistant.google.com>

<sup>2</sup> [https://arstechnica.com/gadgets/2019/01/google-assistant-flexes-on-Google Assistant-announces-1-billion-strong-install-base/](https://arstechnica.com/gadgets/2019/01/google-assistant-flexes-on-Google-Assistant-announces-1-billion-strong-install-base/)

<sup>3</sup> <https://voicebot.ai/2018/12/24/rbc-analyst-says-52-million-google-home-devices-sold-to-date-and-generating-3-4-billion-in-2018-revenue/>

<sup>4</sup> <https://www.theverge.com/2019/7/11/20690020/google-assistant-home-human-contractors-listening-recordings-vrt-nws>

Biometric Information Privacy Act, 740 ILCS 14/*et seq.* The Act prohibits the collection, retention, capture, or purchase of biometric identifiers or biometric information.

9. Biometric identifiers include retina or iris scans, fingerprints, voiceprints, and scans of hand or face geometry. Unlike other unique identifiers like social security numbers, biometrics can never be changed if compromised.

10. Google Assistant devices collect voiceprints, one of the specifically enumerated forms of biometric identifiers set for in BIPA, from any and all persons who speak in its vicinity after a triggering word has been uttered.

11. Google Assistant devices capture, collect, and retain on Google's servers the voiceprint of any and all people who speak near Google Assistant devices, regardless of age or affiliation with Google.

12. Under BIPA, when companies like Google decide to retain biometric identifiers or biometric information, they are required to develop a written policy, available to the public, establishing a retention schedule and guidelines for permanently destroying the biometric identifiers and biometric information when the initial purpose of collecting or obtaining such identifiers has been satisfied, or within 3 years of the individual's last interaction with the private entity, whichever occurs first.

13. When companies like Google decide to collect, capture, purchase, receive through trade, or otherwise obtain a person or customer's biometric identifier or biometric information, it must first:

- Inform the subject or the subject's legally authorized representative in writing that a biometric identifier or biometric information is being collected or stored;
- Inform the subject or the subject's legally authorized representative in writing of the specific purpose and length of term for which a biometric

identifier or biometric information is being collected, stored, and used; and

- Receive a written release executed by the subject of the biometric identifier or biometric information or the subject's legally authorized representative.

14. Unfortunately, Google disregards these statutorily imposed obligations and fails to inform persons that a biometric identifier or biometric information is being collected or stored and fails to secure written releases executed by the subject or the subject's legally authorized representative.

15. Accordingly, this Complaint seeks an Order: (i) requiring Google to cease the unlawful activities discussed herein; and (ii) awarding actual and/or statutory damages to Plaintiff and the proposed Class.

### **PARTIES**

16. Plaintiff Nyltza Morales is a natural person and citizen of Illinois.

17. Plaintiff Ritu Kathpalia is a natural person and citizen of Illinois.

18. Plaintiff Ritu Kathpalia is guardian and mother of D.Z.K., a minor child. D.Z.K. is a natural person and citizen of Illinois.

19. Defendant Google LLC is a Delaware corporation with its headquarters located in Mountain View, California. Google conducts business throughout this County, the State of Illinois, and the United States.

### **JURISDICTION AND VENUE**

20. The Court has personal jurisdiction over Defendant pursuant to 735 ILCS 5/2-209(b)(4) because Google does business within this state.

21. Venue is proper in Cook County because Defendant conducts business transactions in Cook County and the causes of action arose, in part, in Cook County.

## COMMON FACTUAL ALLEGATIONS

### I. The Biometric Information Privacy Act.

22. The Illinois General Assembly enacted BIPA in 2008 to establish standards of conduct for private entities that collect or possess biometric information.

23. To that end, a private entity, such as Google, in possession of biometric identifiers or biometric information must develop

a written policy, made available to the public, establishing a retention schedule and guidelines for permanently destroying biometric identifiers and biometric information when the initial purpose for collecting or obtaining such identifiers or information has been satisfied or within 3 years of the individual's last interaction with the private entity, whichever occurs first. Absent a valid warrant or subpoena issued by a court of competent jurisdiction, a private entity in possession of biometric identifiers or biometric information must comply with its established retention schedule and destruction guidelines.

740 ILCS 14/15(a).

24. BIPA defines a “biometric identifier” as:

a retina or iris scan, fingerprint, voiceprint, or scan of hand or face geometry. Biometric identifiers do not include writing samples, written signatures, photographs, human biological samples used for valid scientific testing or screening, demographic data, tattoo descriptions, or physical descriptions such as height, weight, hair color, or eye color. Biometric identifiers do not include donated organs, tissues, or parts as defined in the Illinois Anatomical Gift Act or blood or serum stored on behalf of recipients or potential recipients of living or cadaveric transplants and obtained or stored by a federally designated organ procurement agency. Biometric identifiers do not include biological materials regulated under the Genetic Information Privacy Act. Biometric identifiers do not include information captured from a patient in a health care setting or information collected, used, or stored for health care treatment, payment, or operations under the federal Health Insurance Portability and Accountability Act of 1996. Biometric identifiers do not include an X-ray, roentgen process, computed tomography, MRI, PET scan, mammography, or other image or film of the human anatomy used to diagnose, prognose, or treat an illness or other medical condition or to further validate scientific testing or screening.

740 ILCS 14/10.

25. BIPA defines “biometric information” as: “any information, regardless of how it is

captured, converted, stored, or shared, based on an individual's biometric identifier used to identify an individual.” *Id.* Biometric information “does not include information derived from items or procedures excluded under the definition of biometric identifiers.” *Id.*

26. Under BIPA, no private entity may collect, capture, purchase, receive through trade, or otherwise obtain a person’s or a customer’s biometric identifier or biometric information, unless it:

i. informs the subject or the subject's legally authorized representative in writing that a biometric identifier or biometric information is being collected or stored;

ii. informs the subject or the subject's legally authorized representative in writing of the specific purpose and length of term for which a biometric identifier or biometric information is being collected, stored, and used; and;

iii. receives a written release executed by the subject of the biometric identifier or biometric information or the subject's legally authorized representative.

*See* 740 ILCS 14/15(b).

27. BIPA also sets forth a private right of action. “Any person aggrieved by a violation of this Act shall have a right of action in a State circuit court or as a supplemental claim in federal district court against an offending party.” 740 ILCS 14/20. A prevailing party may recover for each violation:

i. against a private entity that negligently violates a provision of this Act, liquidated damages of \$1,000 or actual damages, whichever is greater;

ii. against a private entity that intentionally or recklessly violates a provision of this Act, liquidated damages of \$5,000 or actual damages, whichever is greater;

iii. reasonable attorneys' fees and costs, including expert witness fees and other litigation expenses; and

iv. other relief, including an injunction, as the State or federal court may deem appropriate.”

*Id.*

## **II. Google Violates the BIPA as a Matter of Course**

28. Google Assistant devices record and respond to oral communications upon hearing the wake word (usually “Hey Google” or “OK Google”), as in, “Hey Google, will it rain today?” Once a Google Assistant device recognizes the wake word, the Google Assistant device records the oral communications that follow, including ambient speaking in the background not even meant for Google Assistant. The Google Assistant device transmits all of these oral communications to Google’s servers. Google then indefinitely stores copies of all recordings on its own servers for continued use and analysis.

29. Google does not inform Google Assistant users in writing that Google Assistant is collecting biometric information or biometric identifiers.

30. Google does not inform bystanders—people who speak in the vicinity of Google Assistant devices but do not own Google Assistant devices nor have Google Assistant accounts—in writing that Google is collecting biometric information or biometric identifiers.

31. Google does not inform minors who speak in the vicinity of Google Assistant devices, or their legally authorized representative, in writing that Google is collecting biometric information and/or biometric identifiers.

32. Google does not receive a written release executed by Google Assistant users consenting to collection, capturing, purchase, or retention of biometric information or biometric identifiers.

33. Google does not receive a written release executed by bystanders who speak in the vicinity of Google Assistant devices but do not own Google Assistant devices nor have Google Assistant accounts, consenting to collect, capture, purchase, or retention of biometric identifier or biometric information.



34. Google does not receive a written release executed by the guardians or legally authorized representatives of minors who speak in the vicinity of Google Assistant devices consenting to collect, capture, purchase, or retention of biometric identifier and/or biometric information.

35. Google's website does not have a written, publicly available policy identifying its biometrics retention schedule.

#### **FACTS SPECIFIC TO PLAINTIFF MORALES**

36. Plaintiff Morales owns and uses a Google Home Mini device equipped with Google Assistant.

37. Plaintiff Morales has been voice-recorded by Google Assistant devices in Illinois on numerous occasions.

38. When Plaintiff Morales spoke in proximity to a Google Assistant device while the Google Assistant device was recording, Google recorded and stored Plaintiff Morales's voice in its databases and on its servers.

39. On information and belief, Google retained the recordings of Plaintiff Morales and subjected the audio recordings to data analysis (and potentially human listening analysis) calculated to create a voiceprint or recognize the voice of Plaintiff Morales.

40. Google has never informed Plaintiff Morales, in writing or otherwise, that Google is recording or storing her voice and collecting his biometric identifier or biometric information.

41. Plaintiff Morales never consented, agreed, or gave permission—written or otherwise—to Google to collect or store her biometric identifiers or biometric information.

42. Plaintiff Morales never executed any written release giving consent for Google to record or store her voice and collect her biometric identifier or biometric information.

43. Likewise, Plaintiff Morales was never provided with an opportunity to prohibit or

prevent Google from collecting, storing, or using her biometric identifiers or biometric information.

44. On information and belief, Google intentionally and/or recklessly captured, collected, and/or retained Plaintiff Morales's biometric identifier and/or biometric information.

45. Google's violation was willful inasmuch as it knew, or reasonably should have known, that it was failing to comply with the above-described requirements of BIPA.

#### **FACTS SPECIFIC TO PLAINTIFF RITU KATHPALIA**

46. Plaintiff Kathpalia owns and uses a Google Assistant device.

47. Plaintiff Kathpalia has been voice-recorded by Google Assistant devices in Illinois on numerous occasions.

48. When Plaintiff Kathpalia spoke in proximity to a Google Assistant device while the Google Assistant device was recording, Google recorded and stored Plaintiff Kathpalia's voice in its databases and on its servers.

49. On information and belief, Google retained the recording of Plaintiff Kathpalia and subjected the audio recording to data analysis (and potentially human listening analysis) calculated to create a voiceprint or recognize the voice of Plaintiff Kathpalia.

50. Google has never informed Plaintiff Kathpalia, in writing or otherwise, that Google is recording or storing her voice and collecting his biometric identifier or biometric information.

51. Plaintiff Kathpalia never executed any written release giving consent for Google to record or store her voice and collect his biometric identifier or biometric information.

52. Likewise, Plaintiff Kathpalia was never provided with an opportunity to prohibit or prevent Google from collecting, storing, or using his biometric identifiers or biometric information.

53. On information and belief, Google intentionally and/or recklessly captured, collected, and/or retained Plaintiff Kathpalia's biometric identifier and/or biometric information.

54. Google's violation was willful inasmuch as it knew, or reasonably should have known, that it was failing to comply with the above-described requirements of BIPA.

**FACTS SPECIFIC TO D.Z.K., A MINOR**

55. D.Z.K., a minor who is five-years-old, resides in the home of her mother, Plaintiff Ritu Kathpalia, who owns Google Assistant device.

56. D.Z.K. has been voice-recorded by Google Assistant devices in Illinois on numerous occasions without her consent.

57. When D.Z.K. spoke in proximity to a Google Assistant device while the Google Assistant device was recording, Google recorded and stored D.Z.K.'s voice in its databases and on its servers.

58. On information and belief, Google retained the recording of D.Z.K. and subjected the audio recording to data analysis calculated to create a voiceprint or recognize the voice of D.Z.K.

59. Google has never informed D.Z.K. or D.Z.K.'s legally authorized representatives, in writing or otherwise, that Google is recording or storing his voice and collecting the biometric identifier or biometric information of D.Z.K.

60. D.Z.K.'s guardians and legally authorized representatives never executed any written release giving consent for Google to record or store her voice and collect her biometric identifier or biometric information.

61. Likewise, neither D.Z.K. nor D.Z.K.'s legally authorized representative was provided with an opportunity to prohibit or prevent Google from collecting, storing, or using her

biometric identifiers or biometric information.

62. On information and belief, Google intentionally and/or recklessly captured, collected, and/or retained D.Z.K.'s biometric identifier and/or biometric information.

63. Google's violation was willful inasmuch as it knew, or reasonably should have known, that it was failing to comply with the above-described requirements of BIPA.

### CLASS ALLEGATIONS

64. **Class Definitions:** Plaintiffs bring this action pursuant to 735 ILCS 5/2-801, *et seq.*, on behalf of themselves individually and the following classes (the "Classes") of similarly situated individuals, defined as follows:

#### **The "Illinois Class" brought by all Plaintiffs**

All individuals in Illinois who, from the date five years prior to the date of the filing of this action to the date of class certification of this action, (1) spoke in the vicinity of a Google Assistant device and were recorded by the Google Assistant device, and (2) for whom Google created and stored their voice recordings.

#### **The "Illinois Bystander Sub-Class" brought by Plaintiff D.Z.K.**

All individuals in Illinois who, from the date five years prior to the date of the filing of this action to the date of class certification of this action, (1) do not have registered Google Assistant Accounts and (2) spoke in the vicinity of a Google Assistant device and (3) for whom Google created and stored their voice recordings.

#### **The "Illinois Minors Sub-Class" brought by Plaintiff D.Z.K.**

All minors in Illinois who, from the date five years prior to the date of the filing of this action to the date of class certification of this action, (1) spoke in the vicinity of a Google Assistant device and were recorded by the Google Assistant device, (2) and for whom Google created and stored their voice recordings.

Excluded from the Class are: (1) any Judge or Magistrate presiding over this action and members of their families; (2) Defendant, Defendant's subsidiaries, parents, successors, predecessors, and any entity in which the Defendant or its parents have a controlling interest and their current or former employees, officers and directors; (3) persons who properly execute and file a timely

request for exclusion from the Class; (4) persons whose claims in this matter have been finally adjudicated on the merits or otherwise released; (5) Plaintiff's counsel and Defendant's counsel; and (6) the legal representatives, successors, and assigns of any such excluded persons.

65. **Numerosity:** The exact size of the Classes is unknown and not available to Plaintiffs at this time, but it is clear that individual joinder is impracticable. On information and belief, there are at least thousands of individuals in the Classes, making joinder of each individual member impracticable. Ultimately, members of the Classes will be easily identified through Defendant's records.

66. **Commonality and Predominance:** Common questions of law and fact exist as to all members of the Classes and predominate over any questions affecting only individual members:

- a. whether Google collected, captured, received, or otherwise obtained Plaintiffs' and the Classes' biometric identifiers;
- b. whether Google properly informed Plaintiffs' and the Classes that it collected, used, and stored their biometric identifiers;
- c. whether Google obtained a written release (as defined in 740 ILCS 14/10) from Plaintiffs and the Classes to collect, capture, otherwise obtain their biometric identifiers;
- d. whether Google had and made available to the public, a written policy establishing a retention schedule in compliance with the BIPA; and
- e. whether Defendant's conduct described herein was reckless and/or intentional.

67. **Adequate Representation:** Plaintiffs will fairly and adequately represent and protect the interests of the Classes, and has retained counsel competent and experienced in complex

class actions. Plaintiffs have no interest antagonistic to those of the Classes, and Defendant has no defenses unique to Plaintiffs.

68. **Appropriateness:** This class action is appropriate for certification because class proceedings are superior to all other available methods for the fair and efficient adjudication of this controversy and joinder of all members of the Classes is impracticable. The damages suffered by the individual members of the Classes are likely to have been small relative to the burden and expense of individual prosecution of the complex litigation necessitated by Defendant's wrongful conduct. Thus, it would be virtually impossible for the individual members of the Classes to obtain effective relief from Defendant's misconduct. Even if members of the Classes could sustain such individual litigation, it would not be preferable to a class action because individual litigation would increase the delay and expense to all parties due to the complex legal and factual controversies presented in this Complaint. By contrast, a class action presents far fewer management difficulties and provides the benefits of single adjudication, economies of scale, and comprehensive supervision by a single court. Economies of time, effort, and expense will be fostered and uniformity of decisions will be ensured.

**FIRST CAUSE OF ACTION**  
**Violation of the Illinois Biometric Information Privacy Act**  
**740 ILCS 14/15(b)**  
**(On behalf of Plaintiffs and all Classes)**

69. Plaintiffs incorporate the foregoing allegations as if fully set forth herein.

70. The BIPA makes it unlawful for any private entity to, among other things, "collect, capture, purchase, receive through trade, or otherwise obtain a person's or a customer's biometric identifier . . . unless it first: (1) informs the subject . . . in writing that a biometric identifier . . . is being collected or stored; (2) informs the subject . . . in writing of the specific purpose and length of term for which a biometric identifier . . . is being collected, stored, and used; and (3) receives a

written release executed by the subject of the biometric identifier . . . .” 740 ILCS 14/15(b).

71. Google is a Delaware corporation and thus qualifies as a “private entity” under the BIPA. *See* 740 ILCS 14/10.

72. Plaintiffs’ and the Class members’ voice recordings are “biometric identifiers” or “biometric information” pursuant to 740 ILCS 14/10.

73. Google systematically and automatically collected, used, and stored Plaintiff and the Class members’ biometric identifiers or biometric information without first obtaining the specific written release required by 740 ILCS 14/15(b)(3).

74. Google did not properly inform Plaintiffs or the Class members in writing that their biometric identifiers or biometric information were being collected and stored, nor did it inform them in writing of the specific purpose and length of term for which their biometric identifiers or biometric information were being collected, stored, and used as required by 740 ILCS 14/15(b)(1)-(2).

75. By collecting, storing, and using Plaintiffs’ and the Class members’ biometric identifiers or biometric information as described herein, Google violated Plaintiffs’ and The Class members’ rights to privacy in their biometric identifiers as set forth in the BIPA.

76. On behalf of themselves and the Classes, Plaintiffs seek: (i) injunctive and equitable relief as necessary to protect the interests of Plaintiffs and the Classes by requiring Google to comply with the BIPA’s requirements for the collection, storage, and use of biometric identifiers or biometric information; (ii) statutory damages of \$5,000.00 per intentional or reckless violation of BIPA pursuant to 740 ILCS 14/20(2) and statutory damages of \$1,000.00 per negligent violation of the BIPA pursuant to 740 ILCS 14/20(1); and (iii) reasonable attorneys’ fees and costs and other litigation expenses pursuant to 740 ILCS 14/20(3).

**SECOND CAUSE OF ACTION**  
**Violation of the Illinois Biometric Information Privacy Act**  
**740 ILCS 14/15(a)**  
**(On behalf of Plaintiffs and all Classes)**

77. Plaintiffs incorporate the foregoing allegations as if fully set forth herein.

78. Section 15(a) of the BIPA requires that any “private entity in possession of biometric identifiers . . . must develop a written policy, made available to the public, establishing a retention schedule and guidelines for permanently destroying biometric identifiers . . . when the initial purpose for collecting or obtaining such identifiers . . . has been satisfied or within 3 years of the individual’s last interaction with the private entity, whichever occurs first.” 740 ILCS 14/15(a).

79. Google does not publicly provide a retention schedule as specified by the BIPA. *See* 740 ILCS 14/15(a).

80. Accordingly, on behalf of themselves and the Classes, Plaintiffs seek: (i) injunctive and equitable relief as necessary to protect the interests of Plaintiffs and the Classes by requiring Google to establish and make publicly available a retention schedule compliant with 740 ILCS 14/15(a); (ii) statutory damages of \$5,000.00 per intentional or reckless violation of BIPA pursuant to 740 ILCS 14/20(2) and statutory damages of \$1,000.00 per negligent violation of the BIPA pursuant to 740 ILCS 14/20(1); and (iii) reasonable attorneys’ fees and costs and other litigation expenses pursuant to 740 ILCS 14/20(3).

**PRAYER FOR RELIEF**

**WHEREFORE**, Plaintiffs Nylza Morales, Ritu Kathpalia, and Ritu Kathpalia, as next friend of D.Z.K., a minor, on behalf of themselves individually and the respective Classes, respectfully request that this Court issue an order:

A. Certifying this case as a class action on behalf of the Classes defined above,



appointing Plaintiffs Nytlza Morales, Ritu Kathpalia, and Ritu Kathpalia, as next friend of D.Z.K., a minor, as representatives of the Classes, and appointing their counsel as class counsel;

B. Declaring that Defendant's actions, as described herein, constitute violations of BIPA;

C. Awarding statutory damages of \$5,000.00 per intentional or reckless violation of the BIPA pursuant to 740 ILCS 14/20(2) and statutory damages of \$1,000.00 per negligent violation of the BIPA pursuant to 740 ILCS 14/20(1);

D. Awarding injunctive and other equitable relief as is necessary to protect the interests of Plaintiffs and the Classes, including, among other things, an order requiring Google to collect, store, and use biometric identifiers in compliance with the BIPA;

E. Awarding Plaintiffs and the Classes their reasonable litigation expenses and attorneys' fees;

F. Awarding Plaintiffs and the Classes pre- and post-judgment interest, to the extent allowable; and,

G. Awarding such other and further relief as equity and justice may require.

#### **JURY DEMAND**

Plaintiffs request a trial by jury of all claims that can so be tried.


Respectfully Submitted,

**NYLTZA MORALES**, individually,  
and on behalf of all others similarly situated,

**RITU KATHPALIA**, individually,  
and on behalf of all others similarly situated,

**RITU KATHPALIA, AS NEXT  
FRIEND OF D.Z.K., A MINOR**  
and on behalf of all others similarly situated,

Dated: July 15, 2019

By:   
One of Plaintiff's Attorneys

Gerald J. Bekkerman (gbekkerman@tpmblegal.com)

Marc A. Taxman (mtaxman@tpmblegal.com)

Bradley N. Pollock (bpollock@tpmblegal.com)

Sean P. Murray (smurray@tpmblegal.com)

Brennan B. Hutson (bhutson@tpmblegal.com)

**TAXMAN, POLLOCK, MURRAY,**

**& BEKKERMAN, LLC**

225 W. Wacker Drive, Suite 1750

Chicago, IL 60606

Tel: 312-586-1700

Fax: 312-5861701

Firm no. 61090

Michael Aschenbrener (masch@kamberlaw.com)

Adam York (ayork@kamberlaw.com)

**KamberLaw, LLC**

220 N. Green Street

Chicago, Illinois 60607

Tel: 212-920-3072

Fax: 573-341-8548

Firm No. 62824

Scott Kamber (skamber@kamberlaw.com) (*pro hac vice* application forthcoming)

**KamberLaw, LLC**

201 Milwaukee Street, Suite 200

Denver, CO 80206

Tel: 212-920-3072

Fax: 573-341-8548

# ClassAction.org

This complaint is part of ClassAction.org's searchable class action lawsuit database and can be found in this post: [Google Assistant's Retention of Voice Recordings Violates IL Biometric Law, Class Action Says](#)

---