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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

IN RE HP PRINTER FIRMWARE
UPDATE LITIGATION

Case No. 5:16-cv-05820-EJD-SVK

DECLARATION OF MARV BERKOWITZ

Date: April 25, 2019

Time: 9:00 a.m.

Place: Courtroom 4

Judge: Hon. Edward J. Davila

1 I, Marv Berkowitz, hereby declare under penalty of perjury:

2 1. I live in Portage, Michigan and work as the President of Fathers Against Distracted
3 Driving (FADD), a 501(c)(3) nonprofit organization. FADD's mission is to reduce death, injury, and
4 economic loss due to distracted driving.

5 2. I purchased an HP Office Jet Pro 6830 for the FADD headquarters. I used generic ink
6 cartridges in my printer because they are significantly less expensive than HP brand cartridges, and since
7 FADD is a nonprofit, the cost savings were particularly important.

8 3. My printer suddenly stopped working in late 2016, and none of the troubleshooting could
9 it bring it back to working order. I ended up having to buy a new printer.

10 4. When I learned about the class action settlement, I saw that my experience was actually
11 by HP's design. I was angered and annoyed that HP could use a remote technology to ruin a product
12 that I had already purchased and that was working perfectly fine with generic cartridges for months.

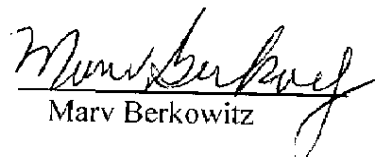
13 5. I reached out to plaintiffs' lawyer Elizabeth Kramer at Girard Sharp and explained what
14 happened and that the issue caused me real anguish, and lost time and money. I made a claim in the
15 settlement to recoup my documented losses.

16 6. I'm grateful that HP's conduct was challenged in a lawsuit. I understand that because of
17 the settlement, people like me will receive money and that HP has agreed not to reactivate the
18 technology that disabled my printer.

19 7. I strongly support the settlement. I also strongly support the plaintiffs' lawyers' request
20 for fees and costs. I understand they are asking to be compensated for the time they actually spent on
21 the case, and to be reimbursed for litigation costs. They deserve to get paid because they stopped HP's
22 unfair business practice and got money for people HP harmed.

23 I declare under penalty of perjury that the foregoing is true and correct. Executed in Portage,
24 Michigan on April 10, 2019.

25 By:


Marv Berkowitz