EXHIBIT 5

Peter Landsheft v. Apple Inc.

Case No. 5:25-cv-02668-NW

Declaration of Colin Weir
[Redacted]

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

PETER LANDSHEFT, individually and on behalf of all others similarly situated, Plaintiff, v. APPLE INC., Defendant.	Case No. 5:25-cv-2668

Settlement Declaration

of

COLIN B. WEIR

May 5, 2026

REFERENCES MATERIALS DESIGNATED "CONFIDENTIAL" AND "HIGHLY CONFIDENTIAL " UNDER PROTECTIVE ORDER

I, Colin B. Weir, declare as follows:

I am President at Economics and Technology, Inc. ("ETI"), 100 Franklin Street, 6th Floor, Boston, Massachusetts 02110. ETI is a research and consulting firm specializing in economics, statistics, regulation and public policy.

I. QUALIFICATIONS, BACKGROUND, AND EXPERIENCE

1. I hold a Masters of Business Administration, with honors, from the High Technology program at Northeastern University, Boston, Massachusetts. I hold a Bachelor of Arts degree cum laude in Business Economics from The College of Wooster, Wooster, Ohio. I have provided expert testimony before federal and state courts, the Federal Communications Commission, and state regulatory commissions, and have contributed research and analysis to numerous ETI publications and expert testimony at the state, federal, and international levels. I have consulted on a variety of consumer and wholesale products cases, calculating damages relating to food products, health/beauty care products, automobiles, household appliances, herbal remedies, electronics, and computers. My Statement of Qualifications, which outlines my professional experience, publications, and record of expert testimony during the last four years, is attached hereto as Exhibit 1. This includes a list of all cases in which, during the previous four years, I have testified as an expert at trial or by deposition.

2. I have participated in the design, execution and/or determination of the economic suitability of conjoint surveys, or have been found by the court to have expertise in conjoint analysis in numerous litigations. These cases include, but are not limited to, These cases include, but are not limited to, *Hadley vs. Kellogg; Krommenhock v. Post; Fitzhenry-Russell v. Dr. Pepper; Jones v. Nutiva; Hunter v. Nature's Way; Looper v. FCA; Sanchez-Knutson v. Ford Motor Company; Belfiore v. Procter and Gamble; Kurtz v. Kimberly Clark; In re Scotts EZ Seed*

Litigation; In re: ConAgra Foods; In re: Arris Cable Modem; Martinelli v. Johnson & Johnson; Hudock v. LG; Koenig v. Vizio; Banh v. American Honda; and *Lessin v Ford.*

3. I received graduate level training in conjoint analysis as part of my MBA. I take continuing education in advanced conjoint design, execution, and analysis through Sawtooth Software, a leading provider of conjoint analysis software. In addition, I have more than 17 years of experience using conjoint analysis professionally.

II. ENGAGEMENT

4. I provide this declaration in connection with the case filed by Peter Landsheft et al. ("Plaintiffs") in the above-captioned action against Defendant Apple, Inc. (the "Defendant," or the "Company," or "Apple").[1] I make this declaration based upon my own personal knowledge and, if called as a witness in this action, I would be able to competently testify as to the facts and opinions set forth herein.

5. I have been advised by Counsel for Plaintiffs that Plaintiffs purchased certain Apple products[2] (the "Products") that were alleged to have been falsely advertised to come enabled with certain enhanced Siri features (the "AI Claim" or the "Claim"),[3] and that Plaintiffs claim that "they would not have purchased iPhone 16s . . . or would have paid less for them" had they know that there would be delays in launching the enhanced Siri features.[4]

6. Plaintiffs allege that as a result, Defendant was allowed to charge a premium for the Products with the AI Claim. Plaintiffs further allege, that consumers would not have purchased

[1] Consolidated Amended Class Action Complaint, filed July 21, 2025 (the "Complaint").

[2] Products include the Apple iPhone models 16, 16e, 16 Plus, 16 Pro, 16 Pro Max, 15 Pro Max, and 15 Pro. *See,* Settlement Agreement, Sec. I.(11).

[3] Complaint, at paras 4, 16-17.

[4] Complaint, at paras 1, 14, 552.

the Products, or at least not at the premium price, had the Defendant's advertisement been honest.[5]

7. I have been asked by Counsel for Plaintiff to ascertain whether it would be possible to determine materiality and damages arising from Plaintiffs' theory of liability on a class-wide basis using common evidence, and if so, to provide a framework for the calculation of damages suffered by the proposed class of consumers as a result of the use of the Claim.

8. As part of my work on damages, I have been asked to work with Mr. Steven Gaskin to help design (from an economic perspective), and to evaluate the economic suitability of a conjoint survey (as set forth by Mr. Gaskin) to measure the overpayment for the Products solely attributable to the Claim.

9. ETI is being compensated at the rate of $1,000 per hour for my work on this case. The opinions expressed in this declaration are my own, and my compensation is not dependent upon the substance of these opinions or the outcome of the litigation.

10. The documents, data and other materials that I relied upon in forming my opinions are identified throughout my report, and in Exhibit 2, attached hereto. In addition, I have relied upon my educational background and more than 22 years of experience.

III. FRAMEWORK FOR DAMAGES

11. As a threshold matter, it is my opinion that it is possible to determine class-wide damages in this case using Defendant's own available business records, third-party records, industry resources, and the conjoint analysis that has been designed by Mr. Gaskin.

12. As set forth below, I have used the results of a conjoint analysis to calculate any Overpayment Damages (wherein consumers would receive back a portion of the price they paid that reflects the reduction in value of the Products solely attributable to the AI Claim).

[5] Complaint, at para 14.

13. This methodology can determine the damages across any prescribed time period, and across geographic regions, given any of the possible liability scenarios that may arise in this litigation.

Product Differentiation

14. A price premium as alleged in this case may arise due to the concept of product differentiation. In economics, the concept of product differentiation can be summarized as the introduction of product attributes that allows the consumer to differentiate between otherwise similar products, with the goal of increasing sales and profits.[6]

15. Defendants appear to understand the concept of product differentiation, and identifies generative AI as an opportunity for the Company. In May 2024, prior to Defendant's June 2024 announcement that introduced "Apple Intelligence,"[7] Tim Cook acknowledged that the Company sees "generative AI as a very key opportunity across our products, and we believe we have advantages that set us apart."[8]

16. With the launch of "Apple Intelligence," Defendant claimed that new generative AI features and capabilities, including Siri enhancements, would be available beginning with the upcoming release of iOS 18.[9]

---

[6] Case, Fair & Oster, Principles of Microeconomics, 9th Edition, 2009, at 305-316, 449.

[7] *"Introducing Apple Intelligence, the personal intelligence system that puts powerful generative models at the core of iPhone, iPad, and Mac,"* Apple Press Release, June 10, 2024, available at https://www.apple.com/newsroom/2024/06/introducing-apple-intelligence-for-iphone-ipad-and-mac/, (last accessed March 10, 2026).

[8] *"Tim Cook says Apple is uniquely well-positioned for AI,"* Fast Company, May 2, 2024, available at https://www.fastcompany.com/91117818/apple-q2-2024-call-tim-cook-ai, (last accessed March 10, 2026).

[9] *See, e.g., supra,* footnote 7; Complaint at para 399.

Prior to the release, claims of the enhanced AI features were advertised and marketed by Defendant. For example, as depicted in Figure 1, Defendant claimed that Siri would be able to take "hundreds of new action in and across apps."[10]

Figure 1.

17. Defendant continued advertising Apple Intelligence and its promised features right through the launch of the iPhone 16. For example, a three-part video campaign released by Defendant in September 2024 with the launch of iPhone 16, highlights the use of AI enhanced features that quickly recalled a user's pervious encounter the previous month, summarized unread emails and created photo montage with music, with only a single prompt.[11]

[10] *See, e.g., supra,* footnote 7.

[11] One video advertisement has since been removed by Defendant, due to the delay in delivering AI Claims. *See,* Omar Sohail, *Apple Intelligence Ad Showing New Siri Has Been Removed*, WCCFTECH (March

18. The AI Claim at issue in this case would qualify as a differentiating factor, with a potential impact to be tested empirically as discussed below.

IV. CALCULATION OF OVERPAYMENT DAMAGES: CONJOINT ANALYSIS

19. In this litigation, damages for the Class can be measured as the price premium paid for the Products, if any, solely attributable to the AI Claim.

20. Conjoint analysis is a representative survey technique that permits an economist to analyze the value of various product attributes.[12] Conjoint analysis can be used to determine market valuation/attribute information for a given product or attribute. Conjoint analysis is founded on rigorous statistical and economic principles, and has uses beyond traditional marketing programs.[13] Indeed, conjoint analysis has been used in litigation contexts to calculate damages for years.[14]

8, 2025) https://wccftech.com/apple-intelligence-ad-showing-new-siri-has-been-removed/ (last accessed March 10, 2026).

[12] Conjoint analysis, as a discipline, is quite broad, and it can be used to facilitate many other sorts of research beyond the specific application that I discuss here.

[13] *See, e.g.*, Sawtooth Software technical papers, available online at https://sawtoothsoftware.com/resources/technical-papers; *When "All Natural" May Not Be*, Analysis Group Forum (Winter 2013) https://www.analysisgroup.com/when-all-natural-may-not-be (last accessed March 5, 2026).

[14] *Applying Conjoint Analysis to Legal Disputes: A Case Study, Wind, Yoram, et al.; See, e.g., Khoday v. Symantec Corp., 2014 WL 1281600, at *10 (D. Minn. March 13, 2014); Sanchez-Knutson v. Ford Motor Company, 310 F.R.D. 529, 538-39 (S.D. Fl. 2015); In re: Lenovo Adware Litigation, 2016 WL 6277245, at *21 (N.D. Cal. Oct. 27, 2016); Guido v. L'Oreal, USA, Inc., 2014 WL 6603730, at *5, *10-*14 (C.D. Cal. July 24, 2014); Brown v. Hain Celestial Group, Inc., 2014 WL 6483216, at *19 (N.D. Cal. Nov. 18, 2014); Microsoft v. Motorola, Inc., 904 F.Supp.2d 1109, 1119-20 (W.D. Wa. 2012); In re Scotts EZ Seed Litig., 304 F.R.D. 397, 413-15 (S.D.N.Y. 2015); Dzielak v. Maytag, 2017 WL 1034197, at *6 (D. NJ. March 17, 2017); TV Interactive Data Corp. v. Sony Corp., 929 F. Supp. 2d 1006, 1022 & n.6 (N.D. Cal. 2013); Briseno v. ConAgra Foods, Inc., 844 F.3d 1121 (9th Cir. 2017); Fitzhenry-Russell v. Dr Pepper Snapple Group, Inc., 2018 WL 3126385 (N.D. Cal. June 26, 2018); In Re Arris Cable Modem Consumer Litig., 2018 WL 3820619, at *25-*31 (N.D. Cal. Aug. 10, 2018); Hadley v. Kellogg Sales Co., 2018 WL 3954587, at *11-*16 (N.D. Cal. Aug. 17, 2018); Martinelli v. Johnson & Johnson, 2019 WL 1429653, at *3-4 (E.D. Cal. Mar. 29, 2019); Krommenhock v. Post Foods, LLC, 2020 U.S. Dist. LEXIS 40463 (N.D. Cal. Mar. 9, 2020); Hudock v. LG Elecs. USA, Inc., 2020 U.S. Dist. LEXIS 54994 (D. Minn. Mar. 30, 2020); Koenig v. Vizio, Inc., Los Angeles Superior Court Case No. BC702266 (L.A. Super. Ct. Aug. 24, 2020); Banh v. American Honda Motor Co., Inc., 2020 WL 4390371 (C.D. Cal. July 28, 2020); Kaupelis v. Harbor Freight Tools, Inc., 2020*

21. It is well known that conjoint analysis has a long history of use in the consumer goods industries.[15]

22. In a typical conjoint analysis, survey panelists are confronted with various choices of product attributes, prices, and other alternatives, and asked either to rank their preferences, or to choose the most preferred attribute or combination thereof.

23. Through conjoint analysis, by systematically varying the attributes of the product and observing how respondents react to the resulting product profiles, one can statistically deduce information about the individual attributes. In particular, statistical methods (including regression analysis) are often applied to the survey responses to calculate attribute value.[16]

24. Conjoint analysis has a long history of use in industry,[17] and is widely accepted and relied upon by enterprises such as Procter & Gamble, Microsoft, General Motors, Ford, and

---

*WL 5901116 (C.D. Cal. Sep. 23, 2020); McMorrow v. Mondelez, 2021 WL 859137 (S.D. Cal. Mar. 8, 2021); de Lacour v. Colgate-Palmolive Co., 2021 WL 1590208 (S.D.N.Y. Apr. 23, 2021); Bailey v. Rite Aid Corp., 2021 WL 1668003 (N.D. Cal. Apr. 28, 2021); Prescod v. Celsius Holdings, Inc., Case No. 19STCV09321 (Cal. Super. Ct. Cnty. L.A. Aug. 2, 2021); Cardenas v. Toyota Motor Corp., Case No.: 18-cv-22798, 2021 U.S. Dist. LEXIS 152920, at *21-*23, *52-*65 (S.D. Fla. Aug. 12, 2021); Bechtel v. Fitness Equipment Svcs., LLC, No. 1:19-CV-726, 2021 WL 4147766, at *2, *16-*17 (S.D. Ohio Sep. 12, 2021); Milan v. Clif Bar & Co., Case No. 18-cv-02354-JD, 2021 WL 4427427, at *6-*7 (N.D. Cal. Sep. 27, 2021); Testone v. Barlean's Organic Oils, Case No. 19-cv-169-JLS (BGS), 2021 WL 4438391, at *5-*6, *15-*17 (S.D. Cal. Sep. 28, 2021) ; Johnson v. Nissan N. Am., Inc., 2022 WL 2869528, at *5 (N.D. Cal. July 21, 2022), Willis v. Colgate Palmolive Co., No. CV 19-8542 JGB (RAOx) (C.D. Cal Jan. 5, 2023), ECF No. 105.; Chapman v. General Motors, Case No. 2:19-CV-12333-TGB-DRG, 2023 WL 2745161 (E.D. Mich. Mar. 31, 2023); Gunaratna v. Dennis Gross Cosmetology LLC, Case No. CV 20-2311-MWF (GJSx), 2023 WL 2628620 (C.D. Cal. Mar. 15, 2023); Banks v. R.C. Bigalow, Inc., No. 20-CV-06208 DDP (RAOx) (C.D. Cal. Jul. 31, 2023); Bush v. Rust-Oleum Corp., Case No. 3:20-cv-03268-LB (N.D. Cal. Feb. 5, 2024), ECF No. 189, Amended Order Granting Motion for Class Certification; Corbett v. Pharmacare U.S. Inc., No. 21-cv-137-JES (AHG) (S.D. Cal.) March 29, 2024 Order; Vancleave v. Abbott Laboratories, Case No. 19CV345045 (Cal. Super. Ct., Santa Clara County Apr. 5, 2024); Sinatro v. Barilla America, Inc., No. 22-cv-03460-DMR, Dkt. No. 78 (N.D. Cal. May 28, 2024) ; Cadena v. Am. Honda Motor Co., Inc., No. CV 18-4007-MWF (PJWx), 2024 WL 4005097 (C.D. Cal. Jul. 2, 2024); Swartz v. Dave's Killer Bread, Inc., No. 4:21-cv-10053-YGR (N.D. Cal. Sept. 20, 2024) (order granting class certification) (Dkt. No. 193); Wallenstein v. Mondelez Int'l, Inc., No. 22-cv-06033-VC, 2024 WL 4293904 (N.D. Cal. Sept. 25, 2024); Lessin, et al. v. Ford Motor Co., Case 3:19-cv-01082-AJB-AHG, ECF No. 202 (S.D. Cal. Nov. 7, 2024) (Order re: Summary Judgment and Class Cert); Jeruchim v. J.M. Smucker Co.*, No. 22-cv-06913-WHO, 2026 U.S. Dist. LEXIS 12228 (N.D. Cal. Jan. 22, 2026).

[15] *Getting Started With Conjoint Analysis: Strategies for Product Design and Pricing Research*, Bryan K. Orme, Research Publishers 2020 ("Getting Started With Conjoint"), at 159 *et seq*.

[16] *See, e.g.*, Getting Started With Conjoint.

[17] *Id,* at 153-155.

Google.[18] Conjoint is also widely respected by academics and is a regular part of the curriculum at universities world-wide, such as Duke, Ohio State, Northeastern, University of South Australia, NYU, and University of California.

25. Conjoint analysis can, and indeed has, been used to analyze the value and importance of product claims, such as the Claim. One recent study used conjoint analysis to determine "whether health claims (claims of health-promoting effects) of food products positively influence product price and consumer choices."[19] Prior to conducting the conjoint survey, the study finds that "[i]n general, consumers consider health and wholesomeness as important aspects of food quality."[20] The study then uses choice-based conjoint analysis to measure the effects of various product attributes on the price of a single product, green tea. The study examines only four product attributes: health claim, country of origin, the size of the product, and price. The study finds that the health claim on green tea is a positive, statistically significant purchase driver, and results in a price premium of approximately 20%.

26. In light of proposed FDA standardized front-of-pack nutrition labeling standards, another study sought "to estimate the relative contribution of declared amounts of different nutrients to the perception of the overall 'healthfulness' of foods by the consumer."[21] The study determined that claims such as "this product has no saturated fat," "this product is fat free," and "this product is low in total fat" were among the 22 most important nutrient content claims.[22] The study concludes that "Conjoint analysis can lead to a better understanding of how consumers

[18] *Id*.

[19] *Estimating Consumers' Willingness to Pay for Health Food Claims: A Conjoint Analysis*, Mitsunori Hirogaki, International Journal of Innovation, Management and Technology, Vol. 4, No. 6, December 2013.

[20] *Id*.

[21] *Testing Consumer Perception of Nutrient Content Claims Using Conjoint Analysis*, Drewnowski, Adam *et al*., Public Health Nutrition: 13(5), 688–694.

[22] *Id*.

process information about the full nutrition profile of a product, and is a powerful tool for the testing of nutrient content claims."[23]

27. An application of conjoint analysis to orange juice was used to evaluate which attributes of orange juice consumers value most. Results of the study showed that vitamin C content was the most important purchase driver besides price.[24]

28. The use of conjoint analysis in similar applications is too extensive to document exhaustively here.

29. Conjoint analysis, as a survey tool, does not rely on an existing data set for its analysis because it relies on data generated through the survey process. Common conjoint analysis software permits the administration of a representative sample survey, and the analysis of the results therefrom.

30. No individualized analyses, or Class-member-specific inquiry is required. All relevant data needed to complete the conjoint analysis is class-wide, common evidence.

Change in Market Value: The Gaskin Conjoint Survey

31. I have been provided with, and have reviewed, the Export Report of Steven P. Gaskin for Settlement Purposes.[25] He has worked in the field of market research and marketing science models since 1982. Mr. Gaskin is an award-winning, published, practitioner of conjoint analysis. I understand that Mr. Gaskin has been asked to describe and design a market research survey and analysis that assesses the price premium for the Products resulting from the Claim at the time and point of purchase.

[23] *Id*.

[24] *Evaluation of Packing Attributes of Orange Juice on Consumers' Intention to Purchase by Conjoint Analysis and Consumer Attitudes Expectation*, Gadioli, I. L. et al., Journal of Sensory Studies 28 (2013):57-65.

[25] Export Report of Steven P. Gaskin for Settlement Purposes, April 14 2026, ("Gaskin Report").

32. The Gaskin Report describes how conjoint analysis has been used to determine the price premium value at the point of purchase resulting from the Claim.

33. I worked with Mr. Gaskin to develop parts of his conjoint survey in this matter.

34. Mr. Gaskin has designed a conjoint analysis that measures the price premium (in percentage terms) at the time and point of sale solely attributable to the Claim through the use of a Siri (Voice Activated Assistant) attribute[26] and price[27] along with several distractor attributes.

35. Mr. Gaskin's survey includes market-based price points derived, at least in part, from Defendant's website, other competitor websites, which I have also reviewed.[28]

36. Mr. Gaskin also considered information specific to the Products when selecting the other attributes and levels for inclusion in the conjoint.[29]

37. Mr. Gaskin has also taken into account the fact that the number of Products sold during the class period is a known fact, and is fixed as a matter of history.[30]

38. Mr. Gaskin's Siri (Voice-Activated Assistant) attribute draws its levels from the Complaint, discussions with counsel, Defendant documents, and from an understanding of Plaintiff's stated theory of liability.[31]

39. After the completion of the conjoint survey, the partworths are calculated using Hierarchical Bayes regression.[32] The use of Hierarchical Bayes regression provides for, among other factors, the ability to estimate better market-level results from a conjoint survey.

---

[26] Gaskin Report, at paras 22, 26-28, 44.

[27] *Id*., at paras 22, 26, 29, 44.

[28] *Id.*, at para 29.

[29] *Id*., at paras 26-29.

[30] *Id.*, at para 23.

[31] *Id.,* at paras 28.

[32] *Id*., at 18-19.

40. After reviewing the Gaskin Report, the methodology underlying Mr. Gaskin's conjoint survey, and the documentary evidence relied upon by Mr. Gaskin and incorporated into the survey design, it is my opinion that Mr. Gaskin's conjoint survey is properly designed to measure the price premium for the Products at the time and point of sale as a result of the Claim. The survey is especially economically suitable given Mr. Gaskin's use of market based prices, and considerations given as to the fixed quantity of Products sold that are part of the Class definition.

V. SUPPLY SIDE CONSIDERATIONS

41. I understand that Mr. Gaskin has considered and accounted for supply side factors in his conjoint design.[33]

42. I have also considered supply side factors in my damages framework. First, unlike in a Lanham Act or intellectual property litigation where a but-for quantity of sales may need to be determined, in this litigation, the historic number of units sold is a fact (as I have discussed above). It would be antithetical to the reality of the actual Class purchases to suggest that the quantity supplied be anything other than the actual number of units sold by Defendant and purchased by Class members.

43. Moreover, it is the retailers and not the Defendant that sets the price for the Class Products. The retailers set the price in a competitive environment.

44. Furthermore, if one were to assume, *arguendo*, that Defendant did set prices and would not have lowered the price in concert with demand (indicating that Defendant priced above the market clearing price), then the economic outcome would be that many or all of the purchases would not have taken place at all. As such, the price premium calculated by Mr. Gaskin will be an inherently conservative measure.

[33] *See, e.g., id.,* at paras 22, 23, 26, 29, 44.

45. I worked closely with Mr. Gaskin to ensure that his survey is appropriately designed to measure the true price premium paid at the point of purchase solely attributable to the Claim.

46. Mr. Gaskin and I had several discussions concerning the design of his survey where I provided input based upon economic concepts, and sales and market data. We also had several discussions concerning how the results of his survey would be calculated, and how they would be interpreted and applied.

47. One of the most important and most frequent topics of discussion between myself and Mr. Gaskin is the data on actual sales of the Products in the real-world marketplace. These real-world transactions occurred at prices that *already* reflect the supply side factors then extant in the marketplace. I understand that Mr. Gaskin relied upon these historical data in setting the prices used in his conjoint survey.

48. Another important supply-side factor that Mr. Gaskin and I considered and discussed was the fact that the quantity of the Products supplied is fixed as a matter of history, which Mr. Gaskin accounts for in his market simulations.

49. Similarly, another important supply-side factor that Mr. Gaskin and I discussed was that, as I discuss below, the market for the Products is an "ordinary" and mature market, subject to competitive pressures that retailers identified as risks to their business. The market for Cell Phones has been in operation for decades.

50. Defendant recently shared with investors the risks they face in the market:

> The markets for the Company's products and services are highly competitive and are characterized by aggressive price competition, downward pressure on gross margins, continual improvement in product performance, and price sensitivity on the part of consumers and businesses. The markets in which the Company competes are further defined by frequent introduction of new products and services, short product life cycles, evolving industry standards, and rapid adoption of technological advancements by competitors. Many of the Company's competitors seek to compete primarily through aggressive pricing and very low cost structures, and by imitating the Company's products and infringing on its intellectual property.

> The Company's ability to compete successfully depends heavily on ensuring the continuing and timely introduction of innovative new products, services and technologies to the marketplace. The Company designs and develops nearly the entire solution for its products, including the hardware, operating system, numerous software applications and related services. Principal competitive factors important to the Company include price, product and service features (including security features), relative price and performance, product and service quality and reliability, design and technology innovation, a strong third-party software and accessories ecosystem, marketing and distribution capability, service and support, corporate reputation, and the ability to effectively protect and enforce the Company's intellectual property rights.[34]

51. Defendant's competitors are experiencing the same competitive pressures. Google, developer of the Gemini AI model, reports to investors the it faces "competition in every aspect" of business, including but not limited to:

- general purpose search engines and information services;
- vertical search engines and e-commerce providers for queries on topics such as those related to travel, jobs, and health, which users may navigate directly to rather than go through Google;
- online advertising platforms and networks, including online shopping and streaming services;
- other forms of advertising, such as billboards, magazines, newspapers, radio, and television, as our advertisers typically advertise in multiple media, both online and offline;
- digital content and application platform providers;
- providers of enterprise cloud services;
- ***AI model developers and providers of AI products and services;***
- companies that design, manufacture, and market consumer hardware products, including businesses that have developed proprietary platforms;
- providers of digital video services;

[34] Apple, Inc., Form 10-K Annual Report filed with the US Securities and Exchange Commission, filed October, 31. 2025.

- social networks, which users may rely on for product or service referrals, rather than seeking information through traditional search engines; and providers of workspace communication and connectivity products.[35]

52. Many major retailers identify strong competition relating to price. Best Buy, a retailer that sells Apple products, recently advised its investors that:

> While we constantly strive to offer consumers the best value, the retail sector is highly competitive. Price is of great importance to most customers, and price transparency and comparability continues to increase. Digital technology enables consumers to compare prices on a real-time basis, putting additional pressure on us to maintain competitive prices. We compete against many local, regional, national and international retailers (both online and brick and mortar), as well as against some of our vendors and mobile network carriers that market their products directly to consumers. Competition is becoming increasingly diverse, including in the advertising revenue space and with the proliferation of marketplace platforms offering products at increasingly lower prices. Diverse competition may also arise from new entrants into the markets we serve, including unexpected players who could more aggressively leverage technologies such as AI and platform integrations.[36]

53. Other large retailers have also noted the intense level of competition in the industry, as well as the importance of responding to consumers on their ability to earn profits. Walmart, Inc. notes the high level of competition that it faces from other retailers:

> Each of our segments competes for customers, employees, digital prominence, products and services and in other important aspects of its business with many other local, regional, national and global physical, eCommerce and omni-channel retailers, social commerce platforms, wholesale club operators and retail intermediaries, as well as companies that offer services in digital advertising, data analytics/insights, fulfillment and delivery services, health

[35] Alphabet, Inc., Form 10-K Annual Report filed with the US Securities and Exchange Commission, filed February, 5. 2025. ***[emphasis added]***

[36] Best Buy Co., Inc., Form 10-K Annual Report filed with the US Securities and Exchange Commission, March 19, 2025.

> and wellness and financial services. The omni-channel retail landscape is highly competitive and rapidly evolving, and the entry of new, well-funded competitors may increase competitive pressures.
>
> We compete in a variety of ways, including the prices at which we sell our merchandise, merchandise selection and availability, services offered to customers, location, store hours, in-store amenities, the shopping convenience and overall shopping experience we offer, the attractiveness and ease of use of our digital platforms, quality and accessibility of data for customers, suppliers, and associates, and cost, speed of and options for accurate delivery to customers of merchandise purchased through our digital platforms or through our omni-channel integration of our physical and digital operations..[37]

54. Amazon recently advised its investors that:

> We Face Intense Competition: Our businesses are rapidly evolving and intensely competitive.
>
> We serve consumers through our online and physical stores and focus on selection, price, and convenience.
>
> We seek to offer our customers low prices, fast and free delivery, easy-to-use functionality, and timely customer service.[38]

55. Cell Phones are sold by many retailers. The market for Cell Phones is not price regulated. The market for the Class Products is not restricted.

56. Pricing in the Cell Phone market operates as in an ordinary market: prices are established in the marketplace, and consumers can choose to buy at the prices set in the market or not; there are no insurance intermediaries, co-payments, or other such complexities.

[37] Walmart, Inc., Form 10-K Annual Report filed with the US Securities and Exchange Commission, March 14, 2025.

[38] Amazon, Inc., Form 10-K Annual Report filed with the US Securities and Exchange Commission, February 6, 2026.

VI. CONJOINT OVERPAYMENT PERCENTAGE

57. The Gaskin Report sets forth the manner in which the conjoint analysis has been performed and the manner in which the results of the conjoint analysis will be calculated. Gaskin has determined that there is a price premium due solely to the use of the Claim. Specifically, Gaskin states that:

- [T]he Price Premium due to a change from an iPhone that 'Includes Basic Siri' to an iPhone that 'Includes an AI Enhanced Siri' is 5.5%.[39]

58. Mr. Gaskin has affirmed that this factor is "applicable across all Class Devices."[40]

VII. TOTAL SALES OF THE PRODUCTS

59. I have been provided with unit sales of the Products by Defendant. This data contains unit sales on a product-by-product basis, on a quarterly basis, beginning July 1, 2024 and ending June 30, 2025.[41] I have also been provided with Defendant's price lists that were dated between June 26, 2024 and March 23, 2025,[42] as well as Defendant's share of unit sales by storage capacity, from the fourth quarter 2024 through the third quarter 2025.[43]

60. I understand the relevant class period to be June 10, 2024 through March 29, 2025.

61. I have summarized my analysis of Defendant's sales data in Table 1 below. For purposes of this analysis, I have utilized Defendant's unit sales records, price lists and the

[39] Gaskin Report, at paras 12, 57.

[40] *Id*.

[41] APL-MEDLNDSHFT_00000001

[42] APL-MEDLNDSHFT_00034639 – 00034642

[43] [redacted]

estimated share of units associated with each level of storage capacity, to estimate total sales for each phone during the class period.

Table 1.
Summary Sales

Product	Unit Sales	Dollar Sales
IPHONE 16E	[redacted]	[redacted]
IPHONE 16 PRO MAX	[redacted]	[redacted]
IPHONE 16 PRO	[redacted]	[redacted]
IPHONE 16 PLUS	[redacted]	[redacted]
IPHONE 16	[redacted]	[redacted]
IPHONE 15 PRO MAX	[redacted]	[redacted]
IPHONE 15 PRO	[redacted]	[redacted]
Total	**37,078,131**	**$41,164,814,198**

62. Based on the unit sales data and price lists provided by Defendant for each iPhone category, I have calculated total unit sales during the relevant class period to be 37,078,131, and total dollar sales during the relevant class period to be $41,164,824,298.

63. I understand that discovery is ongoing and that my analysis and opinions are being presented for purposes of settlement. I may supplement my report based upon additional information learned in discovery. I may provide additional opinions at the certification stage. I therefore reserve the right to supplement, amend or modify my testimony.

VIII. CALCULATION OF DAMAGES

64. This litigation calls for the following damages calculations:

- Price Premium Damages -- wherein consumers would receive the difference in the economic value of the Products at the time and point of sale with the AI Claim compared to the value of an otherwise identical unit of the Product without the AI Claim.

Price Premium Damages

65. After completing all of the work as discussed above, the final calculation of total price premium damages in this litigation will be calculated as follows:

$$\begin{aligned} &Total\ Sales\ of\ the\ Products \\ &\times Price\ Premium\ \% \\ &= Price\ Premium\ Damages \end{aligned}$$

The Price Premium Damages calculation may be calculated with mathematical equivalency[44] as:

$$\begin{aligned} &Average\ Purchase\ Price\ per\ Product \\ &\times Price\ Premium\ \% \\ &\times Number\ of\ Products\ Sold \\ &= Price\ Premium\ Damages \end{aligned}$$

66. This method will be used to calculate damages to the Class in the aggregate, using the same common formula (as above) and the results of the Gaskin survey. No individualized inquiry will be required.

IX. CALCULATION OF PRICE PREMIUM BASED ON CURRENT DATA

67. With the data presently available to me for each iPhone category, I have calculated Price Premium Damages using the Gaskin Conjoint Price Premium Percentage of 5.5%. These calculations are shown below in Table 2.

[44] The total sales of the Products are of course equal to the product of the average price and the number of Products sold.

Table 2. Price Premium Damages			
Product	**Total Dollar Sales**	**Gaskin Price Premium %**	**Price Premium Damages**
IPHONE 16E	[redacted]	5.5%	[redacted]
IPHONE 16 PRO MAX	[redacted]	5.5%	[redacted]
IPHONE 16 PRO	[redacted]	5.5%	[redacted]
IPHONE 16 PLUS	[redacted]	5.5%	[redacted]
IPHONE 16	[redacted]	5.5%	[redacted]
IPHONE 15 PRO MAX	[redacted]	5.5%	[redacted]
IPHONE 15 PRO	[redacted]	5.5%	[redacted]
Total	**$41,164,814,198**		**$2,264,064,781**

68. Total Price Premium Damages during the relevant class period are $2,264,064,781.

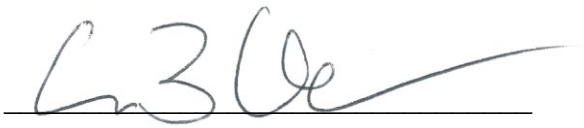
69. Based upon the estimated number of units sold of 37,078,131, average price premium damages would be approximately $61.06 per phone.

X. RESERVATION OF RIGHTS

70. My testimony is based upon the information and data presently available to me. Additional, different and/or updated data including market research data may be obtained in advance of trial. I therefore reserve the right to amend or modify my testimony.

VERIFICATION

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief, and that this declaration was executed at Boston, Massachusetts this 5th day of May, 2026.



Colin B. Weir

Exhibit 1

Statement of Qualifications
of

COLIN B. WEIR

Statement of Qualifications

COLIN B. WEIR

Colin B. Weir is President at Economics and Technology, Inc. Mr. Weir conducts economic, statistical, and regulatory research and analysis, and testifies as an expert witness. Mr. Weir's work involves econometric and statistical analysis, multiple regression, surveys, statistical sampling, micro- and macroeconomic modeling, accounting and other economic analysis. Such analysis often involves analysis of databases, call detail records, and other voluminous business records. Mr. Weir is familiar with common statistical and econometric software packages such as STATA and Sawtooth Software. Mr. Weir assists with analysis of economic, statistical and other evidence; and preparation for depositions, trial and oral examinations. Mr. Weir has provided expert testimony before federal and state courts, the FCC, and state regulatory commissions, and has contributed research and analysis to numerous ETI publications and testimony at the state, federal, and international levels. Prior to joining ETI, Mr. Weir worked at Stop and Shop Supermarkets as a cash department head, grocery/receiving clerk, and price-file maintenance head.

Mr. Weir's experience includes work on a variety of issues, including: economic harm and damage calculation; liquidated damages provisions; lost profits; false claims; diminution in value; merger/antitrust analysis; Early Termination Fees (ETFs); Late Fees; determination of Federal Excise Tax burden; and development of macroeconomic analyses quantifying the economic impact of corporate actions upon the US economy and job markets.

Mr. Weir has conducted research and analysis in numerous litigation and regulatory matters on behalf of corporate, government and individual clients, including AT&T, MTS Allstream (Canada), The US Department of Justice, Office of the Attorney General of Illinois, Pennsylvania Department of Revenue, Thomas v. Global Vision, (class action litigation, Superior Court, County of Alameda), Ayyad v. Sprint (class action litigation, Superior Court, County of Alameda), Forcellati v. Hylands (class action, U.S. District Court, Central District of California), and Ebin v. Kangadis Foods (class action, U.S. District Court, Southern District of New York).

Mr. Weir holds an MBA with honors from Northeastern University. He also holds a Bachelor of Arts degree *cum laude* in Business Economics from The College of Wooster.

Mr. Weir is a member of the Boston Economic Club, and a business member of the Boston Bar Association. Mr. Weir has served on the Board of Trustees of the Waring School, and served as the comptroller for the Sybaris Investment Partnership.

Publications and Testimony of Colin B. Weir

Mr. Weir has co-authored the following:

Interoperability and Spectrum Efficiency: Achieving a Competitive Outcome in the US Wireless Market (with Lee L. Selwyn) Economics and Technology, Inc., prepared on behalf of United States Cellular Corporation, July 2012.

The Price Cap LECs' "Broadband Connectivity Plan": Protecting Their Past, Hijacking the Nation's Future (with Lee L. Selwyn and Helen E. Golding) Economics and Technology, Inc., prepared on behalf of United States Cellular Corporation, September 2011.

Regulation, Investment and Jobs: How Regulation of Wholesale Markets Can Stimulate Private Sector Broadband Investment and Create Jobs (with Lee L. Selwyn, Susan M. Gately, and Helen E. Golding) Economics and Technology, Inc., prepared on behalf of Cbeyond, Inc., Covad Communications Company, Integra Telecom, Inc., PAETEC Holding Corp, and tw telecom inc., February 2010.

Revisiting Us Broadband Policy: How Re-regulation of Wholesale Services Will Encourage Investment and Stimulate Competition and Innovation in Enterprise Broadband Markets, (with Lee L. Selwyn, Susan M. Gately, and Helen E. Golding) Economics and Technology, Inc., prepared on behalf of MTS Allstream, February 2010.

Longstanding Regulatory Tools Confirm BOC Market Power: A Defense of ARMIS (with Lee L. Selwyn, Susan M. Gately, and Helen E. Golding) Economics and Technology, Inc., prepared on behalf of the AdHoc Telecommunications Users Committee, January 2010.

Choosing Broadband Competition over Unconstrained Incumbent Market Power: A Response to Bell and TELUS (with Lee L. Selwyn, Susan M. Gately, and Helen E. Golding) Economics and Technology, Inc., prepared on behalf of MTS Allstream, April 2009.

The Role of Regulation in a Competitive Telecom Environment: How Smart Regulation of Essential Wholesale Facilities Stimulates Investment and Promotes Competition (with Lee L. Selwyn, Susan M. Gately, and Helen E. Golding) Economics and Technology, Inc., prepared on behalf of MTS Allstream, March 2009.

Special Access Overpricing and the US Economy: How Unchecked RBOC Market Power is Costing US Jobs and Impairing US Competitiveness (with Lee L. Selwyn, Susan M. Gately, and Helen E. Golding) Economics and Technology, Inc., prepared on behalf of the AdHoc Telecommunications Users Committee, August 2007.

The AWS Spectrum Auction: A One-Time Opportunity to Introduce Real Competition for Wireless Services in Canada (with Lee L. Selwyn and Helen E. Golding) Economics and Technology, Inc., prepared on behalf of MTS Allstream, June 2007.

Comparison of Wireless Service Price Levels in the US and Canada (with Lee L. Selwyn) Economics and Technology, Inc., prepared on behalf of MTS Allstream, May 2007.

Hold the Phone! Debunking the Myth of Intermodal Alternatives for Business Telecom Users In New York (with Susan M. Gately and Lee L. Selwyn) Economics and Technology, Inc., prepared for the UNE-L CLEC Coalition, August 2005.

Mr. Weir has submitted the following testimony during the last four years:

United States District Court, District of Oregon, Portland Division, *Keira McCarrell, individually and on behalf of all others similarly situated, v. RugsUSA, LLC*, Case No. 3:25-cv-00454, on behalf of Dovel & Luner, LLP, Declaration submitted on February 23, 2026, Deposition on March 16, 2026.

United States District Court, Central District of California, *Amit Patel, Lauren Schmidt, and Christopher Nunez, on behalf of themselves and all others similarly situated, v. GT's Living Foods, LLC*, Case No. 2:19-cv-10920-FMO-GJS, on behalf of Dovel & Luner, LLP, Declaration submitted on December 15, 2025; Deposition on March 2, 2026.

United States District Court, Southern District of New York, *Gregory Maroney and Henry H. Heumann, individually and on behalf of all others similarly situated, v. Woodstream Corporation,* Case No. 7:19-cv-08294-KMK, on behalf of Blood, Hurst, & O'Reardon, LLP, Declaration submitted on November 14, 2025; Deposition on March 9, 2026.

United States District Court, Northern District of Illinois, Eastern Division, *Tiffany Huggins, Lauren Nunez, Geoff Edwards, and Beverly Blalock, individually and on behalf of a class of similarly situated individuals, v. Abbott Laboratories*, Case No. 1:25-cv-02460, on behalf of George Feldman McDonald, PLLC, Declaration submitted on October 15, 2025.

United States District Court for the Northern District of Illinois, *Arnesia Thomas and Pascha Perkins, individually as a representative of all others similarly situated, v. Walmart Inc., and Wal-Mart Stores, Inc.*, Case No. 1:23-cv-05315, on behalf of Dworken & Bernstein Co., LPA, Declaration submitted on October 14, 2025; Deposition on December 1, 2025; Reply Declaration submitted on February 27, 2026.

United States District Court, Northern District of California, San Jose Division, *In re: Meta Pixel Tax Filing Cases*, Master File No. 5:22-cv-07557-PCP, on behalf of Bursor & Fisher, P.A., Declaration submitted on August 18, 2025; Deposition on October 2, 2025.

United States District Court, Northern District of California, *Omar Masry individually and on behalf of all others similarly situated, v. Abbott Laboratories*, Case No.: 5:23-cv-04348-PCP, on behalf of Clarkson Law Firm, Declaration submitted on August 11, 2025.

United States District Court, Northern District of California, *In re: Nestle Boost Nutritional Drink Litigation*, Case No.: 3:21-cv-09812-PJH, on behalf of Milberg Coleman Bryson Phillips Grossman, LLC, Declaration submitted on July 25, 2025; Deposition on August 15, 2025.

United States District Court, Northern District of California, *Sandra Jeruchim and Melissa Varga, individually and on behalf of all others similarly situated, v. The J.M. Smucker Company and Post Consumer Brands, LLC*, Case No.: 3:22-Cv-06913-WHO, on behalf of Bursor & Fisher, P.A., Declaration submitted on July 8, 2025; Deposition on September 8, 2025.

United States District Court, Central District of California, *Emily Chebul, individually and on behalf of all others similarly situated, v. Tuft & Needle, LLC*, Case No. 2:24-cv-02707-JLS-MAR, on behalf of Dovel & Luner, LLP, Declaration submitted on July 7, 2025.

United States District Court, Northern District of California, *In re: SanDisk SSDs Litigation*, Case No. 3 :23-cv-04152-RFL, on behalf of Bursor & Fisher, P.A., Declaration submitted on June 11, 2025; Reply Declaration submitted on August 20, 2025; Deposition on August 26, 2025.

In the Circuit Court of the City of St. Louis, State of Missouri, *State of Missouri ex rel. Attorney General Andrew Bailey, and Missouri Department of Agriculture, v. Dolgencorp, LLC, d/b/a Dollar General*, Case No. 2322-CC096910, on behalf of the Missouri Office of the Attorney General, Deposition on June 6, 2025.

United States District Court, Northern District of California, *Mikhail Gershzon, Kristin Della, and Jill Lienhard, on behalf of themselves and those similarly situated v. Colgate-Palmolive Company*, Case No.: 23-cv-04086-JCS, on behalf of Gutride Safier, LLP, Declaration submitted on May 22, 2025; Deposition on June 27, 2025; Reply Declaration submitted on September 15, 2025.

United States District Court, Northern District of California, *Samuel Garcia, individually and on behalf of all others similarly situated, v. TC Heartland, LLC*, Case No.: 5:23-cv-04192-NW, on behalf of Clarkson Law Firm, Declaration submitted on April 21, 2025; Deposition on June 11, 2025; Reply Declaration submitted on September 15, 2025.

United States District Court, Northern District of California, *Rick Chen and Mindy Aiello, individually and on behalf of all others similarly situated, v. Vesync Corporation*, Case No. 3:23-cv-04458-TLT, on behalf of Bursor & Fisher, P.A., Declaration submitted on April 17, 2025; Deposition on June 9, 2025; Reply Declaration submitted on July 25, 2025; Deposition on August 5, 2025.

United States District Court, Southern District of California, *Albert Renn, on behalf of himself, all others similarly situated, and the general public, v. Otay Lakes Brewery, LLC*, Case No: 23-cv-1139-GPC-BLM, on behalf of Fitzgerald Monroe Flynn, PC, Declaration submitted on March 3, 2025.

United States District Court, Northern District of California, *Sharon Crowder, Joel Lumian, Robert Smith, Amanda Goldwasser, and Mark Elkins, each individually and on behalf of all others similarly situated, v. The Shade Store LLC*, Case No. 5:23-cv-2331, United States District Court, Western District of Washington At Seattle, *Lee Fitzgerald and Katherine Adler, individually and on behalf of all others similarly situated, v. The Shade Store LLC*, Case No. 2:23-cv-01435-RSM, on behalf of Dovel & Luner, LLP, Declaration submitted on January 23, 2025; Deposition on March 11, 2025.

United States District Court, Northern District of California, *Condalisa LeGrand, on behalf of herself, all others similarly situated, and the general public, v. Abbott Laboratories*, Case No. 3:22-cv-5815-TSH, on behalf of Fitzgerald Monroe Flynn, PC, Declaration submitted on January 23, 2025; Supplemental Declaration submitted on September 11, 2025.

Superior Court of the State of California, County of Santa Clara, *Makenzie Smith, individually and on behalf of all others similarly situated, v. LinkedIn Corporation*, Case No. 22CV404069, on behalf of Bursor & Fisher, P.A., Declaration submitted on January 13, 2025; Deposition on March 4, 2025.

United States District Court, Eastern District of Virginia, Richmond Division, *James Dolan and James Morris, individually and on behalf of all others similarly situated, v. Ford Motor Company*, Case No. 1:19-cv-05045-REP, on behalf of Consumer Litigation Associates, PC, Declaration submitted on January 3, 2025; Reply Declaration submitted on February 12, 2025; Deposition on February 25, 2025.

United States District Court, Northern District of California, *Nea Vizcarra, individually and on behalf of all others similarly situated, v. Michaels Stores, Inc.*, Case No. 5:23-cv-468-PCP, on behalf of Dovel & Luner, LLP, Declaration submitted on November 15, 2024; Deposition on January 8, 2025.

Superior Court of the State of California, for the County of Alameda, *David Livingston, individually and on behalf of all other persons similarly situated, v. Mercedes-Benz USA, LLC,* Case No. RG21109711, on behalf of Bursor & Fisher, P.A., Declaration submitted on November 14, 2024; Deposition on December 16, 2024; Reply Declaration submitted on February 27, 2025.

United States District Court, for the Northern District of California, *Melissa Sanchez, Beverly Cassel, as individuals, on behalf of themselves, the general public and those similarly situated, v. Nurture, Inc.*, Case No. 5:21-cv-08566-EJD, on behalf of Gutride Safier, LLP, Declaration submitted on October 25, 2024; Deposition on December 12, 2024.

United States District Court, Northern District of California, *Colby Tunick, individually and on behalf of all others similarly situated, v. Takara Sake USA Inc.*, Case No. 3:23-cv-00572-TSH, on behalf of Clarkson Law Firm, Declaration submitted on October 17, 2024; Deposition on November 22, 2024; Reply Declaration submitted on January 28, 2025.

United State District Court, Northern District of California, *Venus Yamasaki, on behalf of herself and all others similarly situated, v. Natrol, LLC*, Case No. 3:23-cv-00182-JD, on behalf of Spangenberg Shibley & Liber LLP, Declaration submitted on October 11, 2024; Deposition on December 2, 2024.

United States District Court, Northern District of California, *Jennifer Vlacich, Brenda Robert, Elena Nacarino, Ana Krstic, Christina Vink, Lora Grodnick, Lisa Malara, and Teena Stambaugh, individually and on behalf of all others similarly situated, v. Del Monte Foods, Inc.*, Case No. 4:22-cv-00892-JST, on behalf of Dovel & Luner, LLP, Declaration submitted on August 30, 2024; Deposition on October 8, 2024.

United States District Court, Northern District of Georgia, Atlanta Division, *Kellie Carder et al., on behalf of themselves and all others similarly situated, v. Graco Children's Products, Inc.*, Case No. 2:20-cv-00137-LMM, on behalf of Milberg Coleman Bryson Phillips Grossman, LLC, Declaration submitted on August 16, 2024; Supplemental Declaration submitted on January 17, 2025.

United States District Court, Northern District of California, *Krystal Lopez and Damany Browne, individually and on behalf of all others similarly situated, v. Zarbee's Inc.*, Case No. 3:22-04465-CRB, on behalf of Dovel & Luner, LLP, Declaration submitted on August 2, 2024; Deposition on August 27, 2024.

United States District Court, Southern District of New York, *Tanysha Newman, individually and on behalf of all others similarly situated, v. Bayer Corporation and Bayer Healthcare, LLC*, Case No. 7:22-cv-07087-KMK-AEK, on behalf of Bursor & Fisher, P.A., Declaration submitted on July 18, 2024; Deposition on September 9, 2024.

In the United States District Court, for the Northern District of Oklahoma, *In re: Genentech, Inc. Herceptin (Trastuzumab) Marketing and Sales Practices Litigation*, MDL Docket No. 16-MD-2700, on behalf of GableGotwals, Declaration submitted on July 15, 2024; Deposition on September 4, 2024.

United States District Court for the Central District of California, Eastern Division, *Steven Hernandez, individually and on behalf of all others similarly situated, v. Radio Systems Corporation*, Case No.: 22-cv-01861-JGB-KK, on behalf of Schubert Jonckheer & Kolbe, Declaration submitted on June 17, 2024; Declaration submitted on July 31, 2024; Deposition on November 1, 2024.

United States District Court for the Southern District of California, *Linda Sunderland and Benjamin Binder, individually and on behalf of all others similarly situated, v. Pharmacare U.S., Inc., a Delaware Corporation*, Case No.: 3:23-cv-01318-JES-BGS, on behalf of Milberg Coleman Bryson Phillips Grossman, LLC, Declaration submitted on June 3, 2024.

United States District Court for the Northern District Of California, *Martha Valentine, Ruby Cornejo, and Tiffany Avino, each an individual, on behalf of themselves, the general public, and those similarly situated, v. Crocs, Inc.*, Case No. 3:22-cv-07463-TLT, on behalf of Gutride Safier, LLP, Declaration submitted on May 31, 2024; Reply Declaration submitted on August 21, 2024.

In the United States District Court for the Northern District of California, *David Wallenstein, Montgomery Summa, individually and on behalf of all others similarly situated, v. Mondelez International, Inc., a Virginia corporation, Mondelez Global, LLC, a Delaware limited liability company, and Nabisco, Inc., a New Jersey corporation*, Case No. 3:22-cv-6033, on behalf of Fox Law APC, Declaration submitted on May 24, 2024; Deposition on June 27, 2024; Reply Declaration submitted on July 12, 2024; Reply Declaration submitted on August 9, 2024.

United States District Court, Western District of Wisconsin, *John Bankhurst, Pamela Anderson, Jonathan Zang, and Jesse Karp, individually and on behalf of all others similarly situated, v. Sub-Zero Group, Inc. and Wolf Appliance, Inc.*, Case No. 3:23-cv-253, on behalf of Dovel & Luner, LLP, Declaration submitted on May 17, 2024; Deposition on June 18, 2024.

United States District Court, Eastern District of New York, *Claudia Newton and Brandy Leandro, on behalf of themselves and all others similarly situated, v. R.C. Bigelow, Inc., and Does 1 through 10*, Case No.: 2:22-cv-05660-LDH-SIL, on behalf of The Wand Law Firm, Declaration submitted May 16, 2024; Rebuttal Declaration submitted on August 8, 2024; Declaration submitted on September 19, 2025; Deposition on November 21, 2025; Rebuttal Declaration submitted on March 6, 2026.

United States District Court, Northern District of Illinois, Eastern Division, *Charlotte Willoughby, Lakendrea Camille Mcnealy, Shaylynn Doxie, Brittney Gray, Kataleena Helmick, Lani Johnston, Ashley Popa And Deniege Revord, individually and on behalf of a class of similarly situated individuals, v. Abbott Laboratories*, Case No. 1:22-cv-01322, on behalf of Lockridge Grindal Nauen P.L.L.P., Declaration submitted on April 12, 2024; Deposition on May 15, 2024; Reply Declaration submitted July 31, 2024.

In the United States District Court, Northern District of California, *Aaron Brand, John Flodin, individually and on behalf of all others similarly situated, v. Central Garden & Pet Company, a Delaware corporation, Breeder's Choice Pet Foods, Inc., and Does 1-50, inclusive*, Case No.: 4:21-cv-01631-JST, on behalf of Fox Law APC, Declaration submitted on March 15, 2024; Deposition on June 11, 2024; Reply Declaration submitted on August 20, 2024.

United States District Court, Central District of California, *Tristan Hurd and Ken Dimicco, individually and on behalf of all others similarly situated, v. G.Skill International Enterprise Co., LTD., G.Skill USA, Inc., Racerspeed, Inc., and Neuteck, Inc.*, Case No. 2:22-cv-00685-SSS-MAR, on behalf of Dovel & Luner, LLP, Declaration submitted on March 15, 2024; Declaration submitted on October 28, 2025.

In the United States District Court for the Western District of Virginia, *Wendy Prince, individually and on behalf of all others similarly situated, v. Johnson Health Tech Trading, Johnson Health Tech Retail, Inc., and Johnson Health Tech, Inc*., Civil Action No. 5:22-cv-00035, on behalf of Milberg Coleman Bryson Phillips Grossman, LLC, Declaration submitted on February 29, 2024; Deposition on June 7, 2024.

In the United States District Court, for the Southern District of Ohio, Eastern Division, *Judy Kirkbride and Beeta Lewis, individually and on behalf of all others similarly situated, v. The Kroger Co*., Case No. 2:21-cv-00022-ALM-EPD, on behalf of Bursor & Fisher, P.A., Declaration submitted on February 23, 2024; Deposition on May 2, 2024; Reply Declaration submitted on July 25, 2024; Oral Testimony and Cross Examination on March 19 - 20, 2025.

United States District Court, for the Southern District of New York, *Joseph Wolf, Carmen Wolf, on behalf of themselves and those similarly situated, v. Dolgen New York LLC*, Case No.: 7:23-cv-00558-PMH, Milberg Coleman Bryson Phillips Grossman, LLC, Declaration submitted on February 9, 2024; Supplemental Declaration filed March 20, 2024; Deposition on March 25, 2024.

United States District Court, Southern District of California, *Heather Turrey, Oliver Fiaty, Jordan Hernandez, and Jeffrey Sazon, individually, and on behalf of all others similarly situated, v. Vervent, Inc. fka First Associates Loan Servicing, LLC; Activate Financial, LLC; David Johnson; and Laurence Chiavaro*, Case No. 3:20-cv-00697-DMS-AHG, on behalf of Blood, Hurst, & O'Reardon, LLP, Declaration submitted on February 2, 2024.

United States District Court, Southern District of California, *William Lessin and Carol Smalley et al, on behalf of themselves and all others similarly situated, v. Ford Motor Company*, Case No. 19-cv-1082-AJB-WVG , on behalf of McCune Law Group, Declaration submitted on December 1, 2023; Deposition on January 19, 2024; Reply Declaration submitted on April 12, 2024.

United States District Court, Northern District of California, *Thomas Iglesias, David Salazar, Olivia Thurman, and Bethany Torbert, individually and on behalf of all others similarly situated, v. For Life Products, LLC*, Case No. 3:21-cv-01147-TSH, on behalf of Clarkson Law Firm, Declaration submitted on November 29, 2023; Deposition on January 4, 2024.

United States District Court, Northern District of California, *Matthew Sinatro and Shane Winkelbauer, individually and on behalf of all others similarly situated, v. Welch Foods Inc., A Cooperative and Promotion in Motion, Inc.*, Case No. 22-cv-07028-JD, on behalf of Clarkson Law Firm, Declaration submitted on November 20, 2023; Reply Declaration submitted on December 14, 2023; Deposition on December 20, 2023; Supplemental Declaration filed March 5, 2024.

United States District Court, Northern District of California, *David Swartz, as an individual, on behalf of himself, the general public and those similarly situated, v. Dave's Killer Bread, Inc., and Flowers Foods, Inc.*, Case No.: 4:21-cv-10053-YGR, on behalf of Gutride Safier, LLP, Declaration submitted on November 17, 2023; Deposition on January 23, 2024; Reply Declaration submitted on March 22, 2024; Declaration submitted on February 14; Amended Declaration submitted on February 17, 2024; Deposition on March 24, 2025.

United States District Court, Northern District of California, *Steven C. Johnson, an individual, on behalf of himself and all others similarly situated, v. GLOCK, INC., a Georgia Corporation; Glock Ges.m.b.H, an Austrian entity; John and Jane Does I through V; ABC Corporations I-X, XYZ Partnerships, Sole Proprietorships and/or Joint Ventures I-X, Gun Component Manufacturers I-V*, CASE NO.: 3:20-cv-08807-WHO, on behalf of Lewis and Lewis Trial Lawyers, PLC, Declaration submitted October 12, 2023; Reply Declaration submitted on April 11, 2024.

United States District Court, Northern District of California, *Kenneth Glassman, individually and on behalf of all others similarly situated, v. Edgewell Personal Care, LLC*, Case No. 3:21-cv-07669-RS, on behalf of Bursor & Fisher, P.A., Declaration submitted on September 14, 2023; Deposition on November 8, 2023; Reply Declaration submitted on February 12, 2024.

United States District Court, for the Northern District of California, San Francisco, *Tracy Howard, Adina Ringler, and Trecee Artis on behalf of themselves and those similarly situated, v. Hain Celestial Group, Inc., d/b/a Earth's Best*, Case No. 3:22-cv-00527-VC, on behalf of Gutride Safier LLP, Declaration submitted on September 5, 2023; Deposition on October 12, 2023; Reply Declaration submitted on December 13, 2023.

Superior Court of the State of California, for the County of Alameda, Northern Division, *Patricia Bland and Edward White, individually and on behalf of all others similarly situated, v. Premier Nutrition Corporation; and DOES 1-25, inclusive*, Case No. RG19002714, on behalf of Blood, Hurst, & O'Reardon, LLP, Deposition on September 1, 2023.

United States District Court, Northern District of California, *Antonio Mckinney, Clint Sundeen, and Joseph Alcantara, each individually and on behalf of all others similarly situated, v. Corsair Gaming, Inc.*, Case No. 3:22-cv-00312-CRB, on behalf of Dovel & Luner, LLP, Declaration submitted on September 1, 2023; Deposition on January 9, 2024; Declaration submitted on May 20, 2025.

United States District Court, Northern District of California, *Matthew Sinatro, and Jessica Prost, individually and on behalf of all others similarly situated, v. Barilla America, Inc.*, Case No: 4:22-cv-03460, on behalf of Clarkson Law Firm, Declaration submitted on August 30, 2023; Reply Declaration submitted on February 7, 2024; Declaration submitted on February 7, 2025; Deposition on April 30, 2025; Reply Declaration submitted on August 19, 2025; Deposition on September 22, 2025.

United States District Court, for the Central District of California, *Kathleen Cadena, et al., v. American Honda Motor Company, Inc.*, Case No. 2:18-cv-04007-MWF-MAA, on behalf of Gibbs Law Group, LLP, Declaration submitted on August 11, 2023; Deposition on September 27, 2023; Declaration submitted on December 23, 2024; Reply Declaration submitted on May 23, 2025; Deposition on June 4, 2025; Oral Testimony and Cross-Examination on March 23, 2026.

United States District Court, for the Eastern District of Michigan, *Edward Pistorio, Paul Murdock, Daniel Przekop, Hasan Aktulga, Sandra and Thomas Kloszewski, Randall Courtney, Corey Gerritsen, Sara Elice, Justin Bagley and Elizabeth Bagley, and Marcus Swindle on behalf of themselves and all others similarly situated, v. FCA US LLC*, Case No.: 2:20-cv-11838-SFC-RSW, on behalf of Capstone Law APC, Declaration submitted on July 31, 2023; Deposition on September 13, 2023.

United States District Court, District of Minnesota, *Teeda Barclay, Jay Ovsak, and Nicole Nordick, individually, and on behalf of others similarly situated, v. iFIT Health & Fitness, Inc. f/k/a Icon Health & Fitness, Inc., and Nordictrack, Inc.*, Case No. 0:19-cv-02970-ECT-DTS, on behalf of Markovits, Stock & DeMarco, LLC, Declaration submitted on July 14, 2023; Deposition on August 9, 2023; Declaration submitted on January 2, 2024.

United States District Court, Eastern District of Michigan, Southern Division, *Bobby Roe, et al., individually and on behalf of all others similarly situated, v. Ford Motor Company*, Case No. 2:18-cv-12528-LGM-APP, on behalf of Kessler Topaz Meltzer & Check LLP, Declaration submitted on June 28, 2023.

United States District Court, for the Central District of California, Eastern Division, *Sarah McCracken, Individually and on behalf of all others similarly situated, v. KSF Acquisition Corporation*, Case No. 5:22-cv-01666, on behalf of Schubert Jonckheer & Kolbe, Declaration submitted on May 24, 2023.

United States District Court, Northern District of California, Oakland Division, *Jonathan Rusoff and Joseph Gambino, on behalf of themselves and all others similarly situated, v. The Happy Group, Inc., a corporation; and DOES 1 through 10, inclusive*, Case No.: 4: 21-cv-08084-YGR, on behalf of The Wand Law Firm, Declaration submitted on April 11, 2023; Deposition on May 10, 2023; Reply Declaration submitted on July 18, 2023.

United States District Court, Northern District of Illinois, *Justin O'Connor, Stanislaw Zielinski, Daniel Fair, Bryan Smith, Jason Steen, William Fiedler, Michael Barcelona, Robert Marino, Brian Dougherty, Susan Heller, Victor M. Orndorff, and Michael McDonald on behalf of themselves and all others similarly situated, v. Ford Motor Company*, Case No. 1:19-cv-05045, on behalf of Milberg Coleman Bryson Phillips Grossman, LLC, Declaration submitted on March 30, 2023; Reply Declaration submitted on June 1, 2023; Deposition on June 15, 2023.

United States District Court, Northern District of California, Oakland Division, *In re: Plum Baby Food Litigation*, Case No. 21-cv-00913-YGR, on behalf of Lockridge Grindal Nauen P.L.L.P., Declaration submitted on December 20, 2022; Deposition on February 27, 2023; Declaration submitted on September 29, 2023.

United States District Court, Northern District of California, *Lisa M. Moore, individually and on behalf of all others similarly situated, v. GlaxoSmithKline Consumer Healthcare Holdings (US) LLC; Pfizer Inc.*, Case No. : 4:20-cv-09077-JSW, on behalf of Clarkson Law Firm and Moon Law APC, Declaration submitted on December 7, 2022; Deposition on April 13, 2023.

United States District Court, Southern District of California, *Montiqueno Corbett, Damaris Luciano, and Rob Dobbs, individually and on behalf of all others similarly situated, v. Pharmacare U.S., Inc.*, Case No.: 3:21-cv-00137-GPC-AG, on behalf of Milberg LLC, Declaration submitted on September 30, 2022; Declaration submitted on March 22, 2023; Deposition on April 10, 2023; Supplemental Declaration submitted on April 24, 2023; Declaration submitted on October 30, 2024.

In the United States District Court, for the Eastern District of Texas, Sherman Division, *William Squires, Jesse Badke, Ahmed Khalil, Michelle Nidever, John Murphy, Kevin Neuer, Nicholas Williams and Donna Sue Scott, on behalf of themselves and all others similarly situated, v. Toyota Motor Corp, Toyota Motor North America, Inc. and Toyota Motor Sales, U.S.A., Inc.*, Case No.: 4:18-cv-00138, on behalf of Berger Montague, P.C., Declaration submitted September 29, 2022; Deposition on October 27, 2022; Reply Declaration submitted December 21, 2022.

United States District Court, Northern District of California, *Anthony Bush, individually and on behalf of all others similarly situated, v. Rust-Oleum Corporation* Case No.: 3:20-cv-03268-LB, on behalf of Clarkson Law Firm and Moon Law, Declaration submitted on September 27, 2022; Deposition on February 8, 2023.

United States District Court, Southern District of California, *William D. Petterson, individually and on behalf of all others similarly situated, v. Circle K Stores Inc.*, Case No. 3:21-cv-00237-RBM-BGS, on behalf of Bursor & Fisher, P.A., Declaration submitted on September 22, 2022; Deposition on October 11, 2022.

Superior Court of the State of California, For the County Of Santa Clara, *Elizabeth J. VanCleave, and Katherine Hassan, individually and on behalf of a class of similarly situated individuals, v. Abbott Laboratories*, Case No. 19CV345045, on behalf of Goldstein, Borgen, Dardarian & Ho, Declaration submitted on September 19, 2022; Reply Declaration submitted on January 10, 2023; Deposition on February 1, 2023; Declaration submitted on August 29, 2024; Deposition on October 22, 2024; Supplemental Declaration submitted on October 31, 2024; Oral Testimony and Cross Examination on February 7, 2025.

United States District Court, Southern District of New York, *Asher Haft, Robert Fisher, and Cheryl Jones, individually and on behalf of all others similarly situated, v. Haier US Appliance Solutions, Inc. d/b/a GE Appliances*, Case No.: 1:21-cv-00506-GHW, on behalf of Milberg LLC, Declaration submitted on August 12, 2022.

United States District Court for the District of Delaware, *Michael Ninivaggi, Jake Mickey and Cailin Nigrelli, individually and on behalf of all others similarly situated, v. University of Delaware,* Case No. 20-cv-1478-SB, and *Hannah Russo, individually and on behalf of all others similarly situated, v. University of Delaware*, Case No. 20-cv-1693-SB, on behalf of Bursor & Fisher, P.A., Declaration submitted on July 1, 2022; Declaration submitted on August 1, 2022; Deposition on August 19, 2022; Reply Declaration submitted September 30, 2022.

United States District Court, Central District of California, *Kimberly Banks and Carol Cantwell, on behalf of themselves and all others similarly situated, v. R.C. Bigelow, Inc., a corporation; and DOES 1 through 10, inclusive,* Case No.: 20-cv-06208-DDP (RAOx), on behalf of The Wand Law Firm, Declaration submitted on June 17, 2022; Rebuttal Declaration submitted October 3, 2022; Declaration submitted on March 6, 2024; Deposition on May 30, 2024; Oral Testimony and Cross Examination on April 4, 2025.

United States District Court, Central District of California, *Mocha Gunaratna and Renee Camenforte, individually and on behalf of all others similarly situated, v. Dr. Dennis Gross Skincare, LLC, a New York Limited Liability Company*, Case No. 2:20-cv-02311-MWF-GJS, on behalf of Clarkson Law Firm, P.C.; Deposition on May 20, 2022; Reply Declaration submitted on September 22, 2022.

Superior Court of the State of California, County of Santa Clara, *Lance Dutcher, individually and on behalf of all others similarly situated, v. Google LLC, d/b/a YouTube, and YouTube LLC,* Case No. 20CV366905, on behalf of Bursor & Fisher, P.A., Declaration submitted on Deposition on May 17, 2022; Reply Declaration submitted on August 2, 2022; Declaration submitted on May 2, 2023.

United States District Court, Middle District of Tennessee, Nashville Division, *In re Nissan North America, Inc. Litigation; Lakeita Kemp, individually and on, behalf of all others similarly situated v. Nissan North America, Inc., and Nissan Motor Co., Ltd.*, Cases Nos. 3:19-cv-00843, Case No. 3:19-cv-00854, on behalf of DiCello Levitt Gutzler, Deposition on August 25, 2022; Reply Declaration submitted on November 15, 2022.

In the Court of Claims, for the State of Ohio, *Autumn Adams, individually and on behalf of all others similarly situated v. University of Cincinnati*, Case No. 2021-00458JD, on behalf of Bursor & Fisher, P.A., Deposition on August 10, 2022; Reply Declaration submitted on November 16, 2022.

United States District Court, Northern District of California, San Francisco Division, *Eric Fishon, individually and on behalf, of all others similarly situated, v. Premier Nutrition Corporation f/k/a Joint Juice, Inc*., Case No. 3:16-cv-06980-RS, on behalf of Blood, Hurst, & O'Reardon, LLP, Oral Testimony and Cross Examination on May 31, 2022.

United States District Court, Eastern District of Michigan, *Chapman, et al., v. General Motors, LLC*, Case No. 2:19-cv-12333-TGB-DRG, on behalf of Hagens Berman Sobol Shapiro LLP, Deposition on April 13, 2022; Reply Declaration submitted on June 16, 2022.

In The United States District Court, For the District of New Hampshire, *Derick Ortiz, individually and on behalf of all others similarly situated, v. Sig Sauer, Inc.*, Case No.: 1:19-cv-01025-JL, on behalf of Bursor & Fisher, P.A., Oral Testimony and Cross Examination on May 4, 2022.

United States District Court, Southern District of Florida, *Javier Cardenas, Rodney and Pamela Baker, Michelle Monge, and Kurt Kirton, individually and on behalf of all others similarly situated, v. Toyota Motor Corporation, Toyota Motor Sales, U.S.A., Inc., Toyota Motor Engineering & Manufacturing North America, Inc., and Southeast Toyota Distributors, LLC*, Case No.: 18-cv-22798-CIV-FAM, on behalf of Kessler Topaz Meltzer & Check, LLP, Supplemental Declaration submitted on February 17, 2023; Oral Testimony and Cross Examination on March 7, 2023.

Superior Court of the State of California, County of Los Angeles, *Jeffrey Koenig, on behalf of himself and all others similarly situated, v. Vizio, Inc*., Case No. BC 702266, on behalf of Greg Coleman Law, Supplemental Declaration submitted on May 2, 2022; Deposition on May 12, 2022; Supplemental Declaration submitted January 16, 2023; Deposition on February 13, 2023.

United States District Court, Southern District of New York, *Anne De Lacour, Andrea Wright, and Loree Moran individually and on behalf of all others similarly situated, v. Colgate-Palmolive Co., and Tom's of Maine Inc.*, Case No. 1:16-cv-08364-RA, on behalf of Bursor & Fisher, P.A., Declaration submitted on July 22, 2022; Deposition on September 9, 2022.

Mr. Weir has provided expert testimony since 2007, served as a consultative expert in numerous proceedings that did not result in testimony, and has contributed research and analysis to numerous additional projects, publications and testimony at the state, federal, and international levels.

Exhibit 2

Documents Reviewed

- Class Action Complaint, filed December March 19, 2025

- Export Report of Steven P. Gaskin, April 14, 2026

- Case, Fair & Oster, Principles of Microeconomics, 9th Edition, 2009

- Sawtooth Software technical papers, available online at

https://sawtoothsoftware.com/resources/technical-papers

- *When "All Natural" May Not Be*, Analysis Group Forum (Winter 2013)

https://www.analysisgroup.com/when-all-natural-may-not-be

- Applying Conjoint Analysis to Legal Disputes: A Case Study, Wind, Yoram, et al.

- Khoday v. Symantec Corp., 2014 WL 1281600, at *10 (D. Minn. March 13, 2014)

- Sanchez-Knutson v. Ford Motor Company, 310 F.R.D. 529, 538-39 (S.D. Fl. 2015)

- In re: Lenovo Adware Litigation, 2016 WL 6277245, at *21 (N.D. Cal. Oct. 27, 2016)

- Guido v. L'Oreal, USA, Inc., 2014 WL 6603730, at *5, *10-*14 (C.D. Cal. July 24, 2014)

- Brown v. Hain Celestial Group, Inc., 2014 WL 6483216, at *19 (N.D. Cal. Nov. 18, 2014)

- Microsoft v. Motorola, Inc., 904 F.Supp.2d 1109, 1119-20 (W.D. Wa. 2012)

- In re Scotts EZ Seed Litig., 304 F.R.D. 397, 413-15 (S.D.N.Y. 2015)

- Dzielak v. Maytag, 2017 WL 1034197, at *6 (D. NJ. March 17, 2017)

- TV Interactive Data Corp. v. Sony Corp., 929 F. Supp. 2d 1006, 1022 & n.6 (N.D. Cal. 2013)

- Briseno v. ConAgra Foods, Inc., 844 F.3d 1121 (9th Cir. 2017)

- Fitzhenry-Russell v. Dr Pepper Snapple Group, Inc., 2018 WL 3126385 (N.D. Cal. June 26, 2018)

- In Re Arris Cable Modem Consumer Litig., 2018 WL 3820619, at *25-*31 (N.D. Cal. Aug. 10, 2018)

- Hadley v. Kellogg Sales Co., 2018 WL 3954587, at *11-*16 (N.D. Cal. Aug. 17, 2018)

- Martinelli v. Johnson & Johnson, 2019 WL 1429653, at *3-4 (E.D. Cal. Mar. 29, 2019)

- Krommenhock v. Post Foods, LLC, 2020 U.S. Dist. LEXIS 40463 (N.D. Cal. Mar. 9, 2020)

- Hudock v. LG Elecs. USA, Inc., 2020 U.S. Dist. LEXIS 54994 (D. Minn. Mar. 30, 2020)

- Koenig v. Vizio, Inc., Los Angeles Superior Court Case No. BC702266 (L.A. Super. Ct. Aug. 24, 2020)

- Banh v. American Honda Motor Co., Inc., 2020 WL 4390371 (C.D. Cal. July 28, 2020)

- Kaupelis v. Harbor Freight Tools, Inc., Case No. 19-cv-1203-JVS (C.D. Cal. Sep. 23, 2020)

- McMorrow v. Mondelez Int'l Inc., 2021 WL 859137 (S.D. Cal. Mar. 8, 2021)

- de Lacour v. Colgate-Palmolive Co., 2021 WL 1590208 (S.D.N.Y. Apr. 23, 2021)

- Bailey v. Rite Aid Corp., 2021 WL 1668003 (N.D. Cal. Apr. 28, 2021)

- Cardenas v. Toyota Motor Corp., Case No.: 18-cv-22798, 2021 U.S. Dist. LEXIS 152920 (S.D. Fla. Aug. 12, 2021)

- Prescod v. Celsius Holdings, Inc., No. 19STCV09321 (Cal. Super. Ct. Cnty. L.A. Aug 2, 2021)

- Bechtel v. Fitness Equipment Svcs., LLC, No. 1:19-CV-726, 2021 WL 4147766 (S.D. Ohio Sept. 12, 2021)

- Milan v. Clif Bar & Co., 2021 WL 4427427, (N.D. Cal. Sept. 27, 2021)

- Testone v. Barlean's Organic Oils, No. 19-cv-169-JLS (S.D. Cal.), Dkt. No. 98, Order Granting Motion for Class Certification (Sept. 28, 2021)

- Johnson v. Nissan N. Am., Inc., 2022 WL 2869528, at *5 (N.D. Cal. July 21, 2022)

- Sonneveldt v. Mazada, 2022 WL 17357780, Order Granting-in-Part Def's Mot. to Exclude (C.D. Cal. Oct. 21, 2022)

- Willis v. Colgate Palmolive Co., No. CV 19-8542 JGB (RAOx), ECF No. 105 (C.D. Cal Jan. 5, 2023)

- Chapman v. General Motors, Case No. 2:19-CV-12333-TGB-DRG, 2023 WL 2745161 (E.D. Mich. Mar. 31, 2023)

- Gunaratna v. Dennis Gross Cosmetology LLC, Case No. CV 20-2311-MWF (GJSx), 2023 WL 2628620 (C.D. Cal. Mar. 15, 2023)

- Banks v. R.C. Bigalow, Inc., No. 20-CV-06208 DDP (RAOx) (C.D. Cal. Jul. 31, 2023)

- Bush v. Rust-Oleum Corp., Case No. 3:20-cv-03268-LB (N.D. Cal. Feb. 5, 2024), ECF No. 189, Amended Order Granting Motion for Class Certification

- Corbett v. Pharmacare U.S. Inc., No. 21-cv-137-JES (AHG) (S.D. Cal.) March 29, 2024 Order

- Vancleave v. Abbott Laboratories, Case No. 19CV345045 (Cal. Super. Ct., Santa Clara County Apr. 5, 2024)

- Sinatro v. Barilla America, Inc., No. 22-cv-03460-DMR, Dkt. No. 78 (N.D. Cal. May 28, 2024)

- Cadena v. Am. Honda Motor Co., Inc., No. CV 18-4007-MWF (PJWx), 2024 WL 4005097 (C.D. Cal. Jul. 2, 2024)

- Swartz v. Dave's Killer Bread, Inc., No. 4:21-cv-10053-YGR (N.D. Cal. Sept. 20, 2024) (order granting class certification) (Dkt. No. 193)

- Wallenstein v. Mondelez Int'l, Inc., No. 22-cv-06033-VC, 2024 WL 4293904 (N.D. Cal. Sept. 25, 2024)

- Lessin, et al. v. Ford Motor Co., Case 3:19-cv-01082-AJB-AHG, ECF No. 202 (S.D. Cal. Nov. 7, 2024) (Order re: Summary Judgment and Class Cert.)

- *Getting Started with Conjoint*, Bryan Orme, 2020

- *Estimating Consumers' Willingness to Pay for Health Food Claims: A Conjoint Analysis*, Mitsunori Hirogaki, International Journal of Innovation, Management and Technology, Vol. 4, No. 6, December 2013

- *Testing Consumer Perception of Nutrient Content Claims Using Conjoint Analysis*, Drewnowski, Adam *et al*., Public Health Nutrition: 13(5), 688–694.

- *Evaluation of Packing Attributes of Orange Juice on Consumers' Intention to Purchase by Conjoint Analysis and Consumer Attitudes Expectation*, Gadioli, I. L. et al., Journal of Sensory Studies 28 (2013):57-65

- *Introducing Apple Intelligence, the personal intelligence system that puts powerful generative models at the core of iPhone, iPad, and Mac*, Apple Press Release, June 10, 2024, available at https://www.apple.com/newsroom/2024/06/introducing-apple-intelligence-for-iphone-ipad-and-mac/

- *Tim Cook says Apple is uniquely well-positioned for AI*, Fast Company, May 2, 2024, available at https://www.fastcompany.com/91117818/apple-q2-2024-call-tim-cook-ai

- Apple, Inc. 10-K Annual Report
- Alphabet, Inc. 10-K Annual Report
- Walmart, Inc. 10-K Annual Report
- Amazon 10-K Annual Report
- Best Buy 10-K Annual Report
- apple.com
- APL-MEDLNDSHFT_00000001
- APL-MEDLNDSHFT_00035194
- APL-MEDLNDSHFT_00034639
- APL-MEDLNDSHFT_00034640
- APL-MEDLNDSHFT_00034641
- APL-MEDLNDSHFT_00034642
- APL-MEDLNDSHFT_00040372

Public court record.

This copy was downloaded from https://www.smartphoneaisettlement.com/case-documents/ on 2026-09-23 and is hosted, unaltered, for reference at https://chimo.ai/class-action/iphone-15-pro-max

Court: U.S. District Court, Northern District of California
Case number: 5:25-cv-02668-NW

Chimo hosts public court records for readers' reference; documents are unaltered copies from the court docket or the court-approved settlement website.