

# Stichting Bescherming Privacybelangen

## Annual report 30 December 2021 until 31 December 2022

### Board of Directors' report

#### General

Management hereby presents the first annual report of Stichting Bescherming Privacybelangen (the "**Foundation**") for the year 30 December 2021 until 31 December 2022.

#### Activities and results

The Foundation was incorporated on 30 December 2021 under the laws of the Netherlands as a not-for-profit organisation (zonder winstoogmerk) and was established to protect the interests of consumers in the Netherlands who are affected by Google's privacy violations. More information about the Foundation's purpose and mission can be found on its website [www.stichtingbeschermingprivacybelangen.com](http://www.stichtingbeschermingprivacybelangen.com) and in the Foundation's articles of association available on its website.

The Foundation is committed to protecting Google users' right to privacy and ensuring that Google will no longer compromise their rights when it collects, processes, stores, and transfers personal data derived from the use of its products, tools, and services. The Foundation insists that Google fundamentally change its business practices, which are in breach of Dutch and European consumer and privacy laws. In addition, the Foundation seeks to secure financial compensation for consumers who, at any time on or after 1 March 2012, have used one of Google's many products and services while residing in the Netherlands and are as such affected by Google's violations of the law (the "**Aggrieved Parties**").

To achieve these goals, the Foundation has joined forces with the Consumentenbond in 2022. On 12 September 2023 collective proceedings were initiated by the Foundation against the relevant Google entities before the District Court in Amsterdam. In the course of 2022, various preparations for these proceedings were undertaken and on 30 August 2022 the Foundation sent a letter before action to the relevant Google entities.

Through the action against Google, the Foundation also aims to pressure other major tech companies to implement significant structural changes to protect their users' privacy.

#### Management

The board of directors of the Foundation ("Board") consists of the following members:

- A.P.M. van der Veer-Vergeer (Chair) (since 30 December 2021)
- B.M.A. van Eck (since 30 December 2021)
- I.S. Rubinstein (since 30 December 2021)

The supervisory board of the Foundation ("Supervisory Board") consists of the following members:

- B.F.M. Knüppe (Chair) (since 30 December 2021)
- C.H. Zietman (since 14 January 2022)
- A.E. Waldman (since 1 September 2022)

The Supervisory Board acts in policy matters as an advisor and sounding board for the Board. The Board is responsible for decision-making and its implementation. The Supervisory Board supervises amongst others the strategy, material decisions and the annual reporting of the activities, income, expenses and the financial position of the Foundation.

#### Financial statements 2022

The Foundation has entered into a Project based exclusive funding agreement with Lief Cabraser Heimann & Bernstein, LLP ("**LCHB**"). LCHB finances the activities of the Foundation for the benefit of the Aggrieved Parties. In exchange, LCHB is entitled to a specific percentage of the recovery for Aggrieved Parties, ranging between 18-25%, payable only if the Foundation obtains a recovery for Aggrieved Parties.

The Foundation's day-to-day costs mainly comprise the Board and Supervisory Board members' remuneration and the costs of the Foundation's advisors such as its' legal counsels. Each of the Board and Supervisory Board members invoices the Foundation in accordance with the applicable engagement agreement between the Foundation and each of the Board and Supervisory Board members.

# **Stichting Bescherming Privacybelangen**

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### **Claim Code Compliance**

The Stichting endorses the Claim Code that came into force on July 1, 2011 as amended on March 4, 2019 (the “**Claim Code**”). The Claim Code consists of principles (the “**Principles**”) that are considered to be broadly accepted general guidelines and views on how claim foundations and associations should represent collective interests, including – but not limited to – litigation. The Principles create a set of standards for the founders, members of the Board and Supervisory Board, consultants and advisors engaged by the Foundation. The Foundation complies with the applicable Claim Code. This is further elaborated on in the Claim Code compliance reports the Foundation publishes on its website on a yearly basis (<https://stichtingbeschermingprivacybelangen.com/en/documents>).

### **Ongoing affairs and Future outlook**

On 23 May 2023, the Foundation and the Consumentenbond launched a media-campaign to inform the Aggrieved Parties of the action against Google. A second letter before action was sent on 31 May 2023 and the Board met with Google's counsel in-person in the summer to explore whether Google would satisfy the Foundation's demands without the Foundation having to commence legal proceedings. These efforts did not lead to an amicable collective resolution. For this reason, the Foundation proceeded to issue the writ of summons on 12 September 2023 before the District Court of Amsterdam.

The Board is not aware of any significant events that have occurred since the balance sheet date that were not included in the annual report.

(April 2024)