

## NOTICE OF PROPOSED CLASS-ACTION SETTLEMENT

**Attention: all persons in the United States who own or lease property within 100 meters of any location that Niantic has designated, without prior consent, as a Pokémon Gym or Pokéstop in the *Pokémon Go* mobile app.**

**READ THIS NOTICE AND INSTRUCTIONS CAREFULLY. A CLASS ACTION LAWSUIT MAY AFFECT YOUR LEGAL RIGHTS.**

*A federal court has authorized this Notice. This is not a solicitation from a lawyer.*

A proposed settlement has been reached in a class action lawsuit about the location-based mobile game *Pokémon Go*, styled *In re Pokémon Go Nuisance Litigation*, Case No. 3:16-cv-04300-JD (N.D. Cal.). The lawsuit alleges that Niantic, Inc. (“Niantic”), the developer of *Pokémon Go*, violated state trespass and nuisance laws by placing game items called “Pokémon Gyms” and “PokéStops” on or near privately-owned property without prior permission and by enticing and/or causing *Pokémon Go* players to trespass upon such properties and/or interfere with property owners’ use and enjoyment of such properties. Niantic denies any and all wrongdoing or legal violation. The settlement, if approved by the Court, will resolve the lawsuit by requiring Niantic to follow a series of procedures intended to minimize interference with the rights of private property owners, including (1) maintaining a straightforward complaint process for complaints about alleged trespass or nuisance by *Pokémon Go* players, (2) removal upon request of any Pokémon Gym or Pokéstop located on or within 40 meters of single-family residential property, and (3) a commitment to honor requests for limited hours of operation for Pokémon Gyms and Pokéstops in parks.

*The settlement does not provide any monetary relief, and it will not affect any claim for monetary relief that you may otherwise have against Niantic.*

For more information, please visit the settlement website at [www.pokemongopropertysettlement.com](http://www.pokemongopropertysettlement.com), where you can find a more detailed Notice with information about (1) the Settlement and the injunctive relief it provides; (2) Class Counsel’s request for attorneys’ fees and costs; and (3) the procedures for objecting to the Settlement or request for attorneys’ fees, as well as the Settlement Agreement.

The Court will hold a Final Approval Hearing on August 22, 2019 at 10:00 AM to decide whether to approve the settlement. If you are a Class member and the Settlement is approved by the Court, **you cannot opt out from the Settlement** and you will be bound by the release of injunctive and equitable claims. If you wish to object to the Settlement, you must do so no later than July 18, 2019 and in accordance with the procedures outlined in the Notice.

**PLEASE DO NOT CONTACT THE COURT, THE COURT CLERK’S OFFICE, OR NIANTIC’S COUNSEL WITH QUESTIONS ABOUT THIS SETTLEMENT.**

Any questions must be directed to Class Counsel: Pomerantz LLP, 600 Third Avenue, 20<sup>th</sup> Floor, New York, NY 10016, [www.pomlaw.com](http://www.pomlaw.com), (212) 661-1100.