United States District Court
Northern District of California

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

IN RE GOOGLE PLAY STORE ANTITRUST LITIGATION

MDL Case No. 21-md-02981-JD
Member Case No. 20-cv-05671-JD

VERDICT FORM FOR *EPIC* TRIAL

The Court will use this verdict form for the *Epic* trial, Case No. 20-cv-5671.

IT IS SO ORDERED.

Dated: December 8, 2023

JAMES DONATO
United States District Judge

United States District Court
Northern District of California

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

IN RE GOOGLE PLAY STORE ANTITRUST LITIGATION

MDL Case No. 21-md-02981-JD
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VERDICT FORM

When answering the following questions and filling out this Verdict Form, please follow the directions provided throughout the form. Your verdict must be unanimous.

We, the jury, return these answers as our verdict in this case:

Monopolization (Sherman Act Section 2)

Question No. 1:

Did Epic prove, by a preponderance of the evidence and in accordance with the instructions given to you, the existence of a relevant antitrust market?

_____YES _____NO

If you answered "Yes" to Question 1 then continue to Question 2.

If you answered "No" to Question 1 then continue to Question 6.

Question No. 2:

If you answered "yes" to Question 1, please specify each relevant product market and associated geographic market that Epic proved:

Relevant Product Market	Relevant Geographic Market

Continue to Question 3.

Question No. 3:

Did Epic prove, by a preponderance of the evidence and in accordance with the instructions given to you, that Google willfully acquired or maintained monopoly power by engaging in anticompetitive conduct in any market that you specified in response to Question 2?

_____YES _____NO

If you answered "Yes" to Question 3 then continue to Question 4.

If you answered "No" to Question 3 then continue to Question 6.

Question No. 4:

If you answered "yes" to Question 3, please specify each relevant product market and associated geographic market for your answer:

Relevant Product Market	Relevant Geographic Market

Continue to Question 5.

Question No. 5:

If you answered "yes" to Question 3, did Epic prove, by a preponderance of the evidence and in accordance with the instructions given to you, that it was injured as a result of Google's violation of the antitrust laws?

_____YES _____NO

Continue to Question 6.

Unlawful Restraint of Trade (Sherman Act Section 1 and California State Law)

Question No. 6:

Did Epic prove, by a preponderance of the evidence and in accordance with the instructions given to you, that Google entered into one or more agreements that unreasonably restrained trade in a relevant antitrust market?

_____YES _____NO

If you answered "Yes" to Question 6 then continue to Question 7.

If you answered "No" to Question 6 then continue to Question 10.

Question No. 7:

If you answered "yes" to Question 6, which of these agreements did you find to be unreasonable restraint(s) of trade in accordance with the instructions given to you?

_____ DDA agreements

_____ Agreements with Google's alleged competitors or potential competitors under Project Hug or Games Velocity Program

_____ Agreements with OEMs that sell mobile devices (including MADA and RSA agreements)

Continue to Question 8.

Question No. 8:

If you answered "yes" to Question 6, please specify each relevant product market and associated geographic market for your answer:

Relevant Product Market	Relevant Geographic Market

Continue to Question 9.

Question No. 9:

If you answered "yes" to Question 6, did Epic prove, by a preponderance of the evidence and in accordance with the instructions given to you, that it was injured as a result of Google's violation of the antitrust laws?

_____YES _____NO

Continue to Question 10.

Tying (Sherman Act Section 1 and California State Law)

Question No. 10:

Did Epic prove, by a preponderance of the evidence and in accordance with the instructions given to you, that Google unlawfully tied the use of the Google Play Store to the use of Google Play Billing?

_____YES _____NO

If you answered "Yes" to Question 10 then continue to Question 11.

If you answered "No" to Question 10 then go to the bottom of the form.

Question No. 11:

If you answered "yes" to Question 10, did Epic prove, by a preponderance of the evidence and in accordance with the instructions given to you, that it was injured as a result of Google's violation of the antitrust laws?

_____YES _____NO

You have now reached the end of the verdict form and should review it to ensure it accurately reflects your unanimous determinations. The Presiding Juror should then sign and date the verdict form in the spaces below and notify the courtroom deputy that you have reached a verdict. The Presiding Juror should retain possession of the verdict form and bring it when the jury is brought back into the courtroom.

DATED: _____ Signed:

_____
Presiding Juror