

1 GAW POE LLP
2 CHRISTOPHER WIMMER (Bar Number 236275)
3 cwimmer@gawpoe.com
4 ONE EMBARCADERO, SUITE 1200
5 SAN FRANCISCO, CA 94111
6 Telephone: (415) 326-3957
7 Facsimile: (415) 737-0642

8 SLARSKEY LLC
9 DAVID N. SLARSKEY
10 dslarskey@slarskey.com
11 767 THIRD AVENUE, 14TH FLOOR
12 NEW YORK, NY 10017
13 Telephone: (646) 893-6082
14 *Pro hac vice application pending*

15 Attorneys for Proposed Intervenors

16 Textbook and Academic Authors Association

17 UNITED STATES DISTRICT COURT
18
19 NORTHERN DISTRICT OF CALIFORNIA
20
21 SAN FRANCISCO DIVISION
22

23 ANDREA BARTZ, ANDREA BARTZ, INC.
24 CHARLES GRAEBER, KIRK WALLACE
25 JOHNSON, and MJ + KJ, INC., individually
26 and on behalf of others similarly situated,

27 Plaintiffs,

28 vs.

29 ANTHROPIC PBC,

30 Defendants.

Case No. 3:24-cv-05417-WHA

**DECLARATION OF DAVID N.
SLARSKEY IN SUPPORT OF
MOTION TO INTERVENE AND
FOR CURATIVE
COMMUNICATION**

Date: January 27, 2026

Time: 8:00 am

Courtroom: 12-19th Floor

The Honorable William Alsup

1 Pursuant to 28 U.S.C. 1746, I, David N. Slarskey, hereby declare under penalties of perjury
2 as follows:

3 1. I am an attorney, partner with the law firm of Slarskey LLC, and counsel for the
4 Textbook and Academic Authors Association (“TAA”). I am personally familiar with the facts
5 contained in this declaration, and make this declaration in support of the Textbook and Academic
6 Authors Association’s Motion to Intervene and for an Order Requiring Curative Notice.

7 2. I have been representing textbook authors in various capacities adverse to
8 educational publishers including Cengage, McGraw-Hill, Pearson, and Sage for approximately ten
9 years. Those representations have typically included disputes regarding royalty payments and
10 accounting methods employed by publishers to the detriment of their authors.

11 3. On September 14, 2025, I was contacted by Kim Pawlak, Executive Director of
12 TAA, and Brenda Ulrich of Archstone Law, who is a board member of TAA, for assistance in
13 representing TAA in connection with its participation in a mediation and Author/Publisher Working
14 Group negotiations pertaining to the settlement of this action. Since then, I have worked with TAA
15 in support of the preliminary settlement, and to assist TAA in assuring that authors are properly
16 informed of their rights and obligations with respect to the proposed settlement.

17 4. On the morning of Tuesday December 16, I received a copy of the “Sage’s plan”
18 email that is annexed as Exhibit 1 to the Declaration of Kim Pawlak. After discussing the matter
19 with Ms. Pawlak and Ms. Ulrich, I promptly forwarded the email to counsel from Lieff Cabraser
20 and Susman Godfrey. I am aware of their arguments to the Court in connection with the
21 ClaimsHero motion, *i.e.*, the need to protect against communications that may deter participation
22 and mislead class members.¹

23 5. I conferred on this issue with Class Counsel on December 17. I am unaware of any
24 efforts intended to cure Sage’s misleading communication. TAA is bringing this issue to the Court’s

25
26 ¹ “ClaimsHero’s webpage therefore undermines the Court-ordered notice process and curative
27 notice is needed. Courts regularly cure solicitations, like these, that are intended to mislead class
28 members to opt out of a class settlement.” (Doc. 442 at 114.) While Sage’s email does not
encourage authors to *opt out*, it has the same effect of misleading authors, encouraging them to
claim less than they may be entitled to, and ultimately *not file a claim*, which will benefit Sage on
individual works.

1 attention, cognizant of the Court's comments during prior proceedings that it wished to be made
2 aware of issues promptly as they arise, so they can be appropriately resolved.

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4 I declare under penalty of perjury that the foregoing is true and correct. Executed on December 22,
5 2025, in New York, New York.

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David N. Slarskey