

1 THE HONORABLE JAMAL N. WHITEHEAD
2
3
4
5

6 UNITED STATES DISTRICT COURT
7 FOR THE WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9
10 IN RE VALVE ANTITRUST LITIGATION
11
12
13
14

Case No. 2:21-cv-00563-JNW

15 **ORDER AMENDING CLASS PERIOD,
16 GRANTING PUBLISHER CLASS
17 PLAINTIFFS' MOTION FOR ORDER
18 APPROVING NOTICE OF CLASS
19 CERTIFICATION, AND ENTRY OF
20 NOTICE SCHEDULE**

21 This Document Relates to:
22
23 Publisher Plaintiffs
24

25 This Court, having reviewed and considered Publisher Plaintiffs' Motion for Approval of
26 Notice of Class Certification and Entry of Notice Schedule ("Motion"), and finding good cause,
27 hereby grants the Motion and orders as follows:

28 1. The Court hereby amends the class definition and period:

29 All persons or entities who, directly or through an agent, paid a commission
30 to Valve in connection with the sale or use of a game on the Steam platform
31 between January 28, 2017 and November 25, 2024 (the "Class Period"),
32 and where either (1) the person or entity was based in the United States and
33 its territories or (2) the game was purchased or acquired by a United States-
34 based consumer during the Class Period. Excluded from the Class are

- (a) Defendant, its parents, subsidiaries, affiliate entities, and employees, and
- (b) the Court and its personnel.

2. The Court having previously granted Publisher Plaintiffs' motion for class certification, ECF No. 392 at 26–27, hereby directs notice to be distributed to the class members pursuant to Federal Rule of Civil Procedure 23(c)(2).

6 3. The proposed notice plan and schedule set forth in the Motion and the supporting
7 declarations complies with Rule 23(c)(2)(B) and due process as it constitutes the best notice that
8 is practicable under the circumstances. It includes individual notice by email and mail to class
9 members whose email and mailing addresses can be identified through reasonable effort. It also
10 includes a dedicated class website and banner advertisement posted on multiple websites likely
11 frequented by class members, as reasonable attempts to reach class members who may not receive
12 the mail and email notice.

13 4. The proposed notice documents attached to the motion and their manner of
14 transmission comply with Rule 23(c)(2)(B) and due process because they are reasonably calculated
15 to adequately inform class members of “(i) the nature of the action; (ii) the definition of the class
16 certified; (iii) the class claims, issues, or defenses; (iv) that a class member may enter an
17 appearance through an attorney if the member so desires; (v) that the court will exclude from the
18 class any member who requests exclusion; (vi) the time and manner for requesting exclusion; and
19 (vii) the binding effect of a class judgment on members under Rule 23(c)(3).” Fed. R. Civ. P.
20 23(c)(2)(B). Publisher Plaintiffs’ Co-Lead Class Counsel may make non-substantive changes to
21 the notice documents, such as typographical errors, without leave of the Court.

22 5. The Court hereby sets the below schedule for the dissemination of notice to the
23 class and opt-out deadline:

Event	Date
Valve to Provide Notice Administrator with the Pertinent Contact Information for All Class Members	May 5, 2025, 14 days after issuance of the Order approving the Certification Notice Plan
Publisher Plaintiffs to Provide Notice Administrator and Valve with Class Notice List	June 4, 2025, 44 days after issuance of the Order approving the Certification Notice Plan
Notice Date (direct notice mailed/mailed; commencement of social media/internet notice; activate case website)	July 3, 2025, 73 days after issuance of the Order approving the Certification Notice Plan
Opt-Out Deadline	September 2, 2025, 134 days after issuance of the Order approving the Certification Notice Plan
Publisher Plaintiffs to File with the Court a List of All Persons and Entities Who Timely Requested Exclusion from the Class	September 16, 2025, 148 days after issuance of the Order approving the Certification Notice Plan

6. No ruling on summary judgment shall be issued until after the opt-out period has concluded.

IT IS SO ORDERED

Dated this 21st day of April, 2025



JAMAL N. WHITEHEAD
UNITED STATES DISTRICT JUDGE

Presented by:

Alicia Cobb

Alicia Cobb, WSBA #48685
QUINN EMANUEL URQUHART &
SULLIVAN, LLP
1109 First Avenue, Suite 210
Seattle, Washington 98101
Phone (206) 905-7000
Fax (206) 905-7100
aliciacobb@quinnemanuel.com

Steig D. Olson (*pro hac vice*)
David LeRay (*pro hac vice*)
Nic V. Siebert (*pro hac vice*)

Tyre L. Tindall

Tyre L. Tindall, WSBA #56357
McKinney Wheeler, WSBA #60635
WILSON SONSINI GOODRICH &
ROSATI P.C.
701 Fifth Avenue, Suite 5100
Seattle, WA 98104-7036
Phone (206) 883-2500
Fax (866) 974-7329
sjensen@wsgr.com
ttindall@wsgr.com
mckinney.wheeler@wsgr.com

1 Andrew Faisman (*pro hac vice*)
 2 QUINN EMANUEL URQUHART &
 3 SULLIVAN, LLP
 4 51 Madison Avenue
 5 New York, New York 10010
 6 Phone (212) 849-7231
 7 Fax (212) 849-7100
 8 steigolson@quinnemanuel.com
 9 davidleray@quinnemanuel.com
 10 nicolassiebert@quinnemanuel.com
 11 andrewfaisman@quinnemanuel.com

12 Adam Wolfson (*pro hac vice*)
 13 QUINN EMANUEL URQUHART &
 14 SULLIVAN, LLP
 15 865 S. Figueroa St., 10th Floor
 16 Los Angeles, California 90017
 17 Phone (213) 443-3285
 18 Fax (213) 443-3100
 19 adamwolfson@quinnemanuel.com

20 Ankur Kapoor (*pro hac vice*)
 21 Noah Brecker-Redd (*pro hac vice*)
 22 CONSTANTINE CANNON LLP
 23 6 East 43rd St., 26th Floor
 24 New York, NY 10017
 25 Phone (212) 350-2700
 26 Fax (212) 350-2701
 27 akapoor@constantinecannon.com
 28 nbrecker-redd@constantinecannon.com

1 Kenneth R. O'Rourke (*pro hac vice*)
 2 Jordanne M. Steiner (*pro hac vice*)
 3 WILSON SONSINI GOODRICH &
 4 ROSATI, P.C.
 5 1700 K Street, NW, Suite 500
 6 Washington, DC 20006
 7 Phone (202) 973-8800
 8 Fax (866) 974-7329
 9 korourke@wsgr.com
 10 jordanne.miller@wsgr.com

11 W. Joseph Bruckner (*pro hac vice*)
 12 Joseph C. Bourne (*pro hac vice*)
 13 Laura M. Matson (*pro hac vice*)
 14 LOCKRIDGE GRINDAL NAUEN PLLP
 15 100 Washington Avenue S, Suite 2200
 16 Minneapolis, MN 55401
 17 Phone (612) 339-6900
 18 Fax (612) 339-0981
 19 wjbruckner@locklaw.com
 20 jcbourne@locklaw.com
 21 lmmatson@locklaw.com

22 Kyle Pozan (*pro hac vice*)
 23 LOCKRIDGE GRINDAL NAUEN PLLP
 24 1165 N. Clark Street, Suite 700
 25 Chicago, IL 60610
 26 Phone (312) 205-8968
 27 Fax (612) 339-0981
 28 kjpozan@locklaw.com

29 *Publisher Plaintiff Class Counsel*