## WAIVER

## SUPREME COURT OF THE UNITED STATES

|                |   | No  | . 23-3             |  |   |  |            |                 |
|----------------|---|---|--------------------|--|---|--|------------|-----------------|
| Coinbase, Inc. |   |   |                    |  | David Suski, et al.   |  |            |                 |
|                |   | (Petitioner)                                  |                    | v.                                       | The agreement was a server substitution of the contract and the server server and the server | (Respo   | ndent)     |                 |
| I DO N         | NOT INT<br>urt.   | END TO FILE A                                 | RESPONSE to        | the petit                                | on for a writ of co   | ertiorari u  | ınless one | is requested by |
| Please         | check t   | the appropriate b                             | ox:                |  |   |  |            |                 |
| •              | I am fil  | ing this waiver on l                          | oehalf of all resp | pondents.                                |   |  |            |                 |
| 0              | I only represent some respondents. I am filing this waiver on behalf of the following respondent(s):  |   |                    |  |   |  |            |                 |
|                | /   |   |                    |  |   |  |            |                 |
| Please         | e check   | the appropriate b                             | ox:                | B-144-11-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1 |   |  |            |                 |
| 0              | I am a member of the Bar of the Supreme Court of the United States. (Filing Instructions: File a signed Waiver in the Supreme Court Electronic Filing System. The system will prompt you to enter your appearance first.)   |   |                    |  |   |  |            |                 |
| 0              | I am not presently a member of the Bar of this Court. Should a response be requested, the response will be filed by a Bar member. (Filing Instructions: Mail the original signed form to: Supreme Court, Attn: Clerk's Office, 1 First Street, NE, Washington, D.C. 20543). |   |                    |  |   |  |            |                 |
| Signat         | ure:  |   | A                  |  |   |  |            |                 |
| Date:          |   | 7/28/23                                       |                    |  |   |  |            |                 |
| (Type o        | or print)   | Name David J. H                               | Harris, Jr.        |  |   | and the second s |            |                 |
|                |   | O Mr.   | O Ms.              | ***************************************  | O Mrs.  | O Miss   |            |                 |
| Firm           |   | Finkelstein & K                               | rinsk LLP          |  |   |  |            |                 |
| Address        |   | 501 West Broadway, Suite 1260                 |                    |  |   |  |            |                 |
| City & State   |   | San Diego, Ca                                 |                    |  | Zip   | 92117  |            |                 |
| Phone          |   | (619) 238-1333                                | 3                  | Email                                    | djh@classac   | tionlaw  | com        |                 |
|                |   | orm must be sent to<br>recipient(s) of a copy |                    |  |   |  |            |                 |
|                |   | atyal; Jessica L. El<br>Hartnett; Bethany L   |                    |  | US LLP  | -  |            |                 |

cc: