

# Information Society Project

## Yale Law School

October 17, 2023

Tina Wolfson,  
Ahdoot & Wolfson PC.

Michael Sobol,  
Lief Cabraser Heimann & Bernstein, LLP.

Dear Ms. Wolfson and Mr. Sobol,

Thank you for inviting a proposal from the Informational Society Project at Yale Law School for the cy pres award in the *In re Google Location History Litigation*. We have attached a detailed proposal, having framed it in the manner you advised. We have also attached a budget to help with planning, with tabs that propose different options depending on funds that can be made available to us.

Broadly, our proposal consists of:

- (1) Two research fellows whose work will promote the protection of internet privacy.
- (2) A technology accountability project targeted at improving the law on privacy and algorithmic justice, involving law students supervised by lawyers consisting of:
  - a. clinical director who leads the project
  - b. two clinical fellows
  - c. costs of filing, transportation and other activities that are a part of a clinic

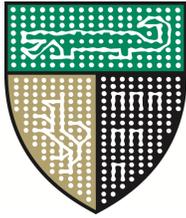
Please do let us know if we can share any additional information. We look forward to hearing from you.

Best,

A handwritten signature in blue ink, appearing to read "Chinmayi Arun".

Chinmayi Arun

Executive Director,  
Information Society Project, Yale Law School.



# Information Society Project

## Yale Law School

### **1. Name of organization**

The Information Society Project at Yale Law School.

### **2. Discuss the founding and history of the organization.**

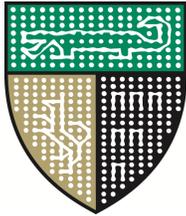
The Information Society Project (ISP) is an intellectual center at Yale Law School, founded in 1997 by Professor Jack Balkin. Over the past quarter century, the ISP has grown from a handful of people gathering to discuss internet governance into an international community working to illuminate the complex relationships between law, technology, and society.

The Yale ISP is home to the The Media Freedom and Information Access Clinic (MFIA) , which was established in 2009 by four Yale Law School students who recognized that the migration of investigative reporting from newspapers, network news departments and other traditional news organizations to online websites, blogs, and other start-up operations, was leaving many journalists without access to the legal services needed for effective reporting, and that the settled legal principles protecting our robust and independent press would need to be re-established for these journalists in very different digital contexts. In August 2023, MFIA added the Tech Accountability Project (TAP), which works with students to engage in litigation, legislative drafting, and policy proposals aimed at regulating digital platforms and their use of artificial intelligence, prediction products, data collection, and related technologies.

### **3. Describe the organization's current goals.**

At its core, the ISP is an intimate community of interdisciplinary scholars—comprised of resident fellows, visiting fellows, student fellows, and Yale University faculty—exploring cutting-edge issues at the intersection of law, technology, and society. Our fellows have diverse academic backgrounds and practical experience in law, communications, computer science, medicine, journalism, economics, political science, art, cognitive psychology, sociology, and film studies. ISP alumni who hold academic positions join our international network of nearly one hundred ISP affiliate fellows; other alumni have become legal practitioners, activists, entrepreneurs, and policymakers. While members of the ISP community have diverse areas of expertise, the center's work focuses primarily on technology law and policy, which includes privacy and artificial intelligence.

The ISP's clinics and research fellows, in turn, work on a wide range of legal issues related to platform regulation. These include in addition to privacy intellectual property, telecommunications law, consumer protection, labor and employment law, antitrust and competition law, and civil rights and civil liberties. Our approach to technology law and policy is wide-ranging because important issues in the field change over time.



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#### **4. Provide a brief description of the organization's current programs.**

Each academic year the ISP hosts nearly 100 educational events designed to promote novel scholarship, foster the cross-pollination of ideas, and spark new collaborations. Several of these focus on privacy and AI. In addition to the MFIA clinic and the Tech Accountability Project mentioned above, the ISP is also home to a variety of initiatives with complementary educational and advocacy aims:

- a. The Floyd Abrams Institute for Freedom of Expression promotes freedom of speech, freedom of the press, access to information, and government transparency.
- c. The Knight Law and Media Program (LAMP) is designed to foster a deeper understanding of the issues at the intersection of law, media, and journalism and to encourage students to pursue careers in media law.
- d. The Wikimedia/Yale Law School Initiative on Intermediaries and Information (WIII) has two main aims: to raise awareness of threats to an open internet, especially those affecting online intermediaries and their users, and to make creative policy suggestions that protect and promote internet-facilitated access to information.
- e. The Program for the Study of Reproductive Justice (PSRJ) is an incubator of novel litigation strategies and legal theories designed to advance reproductive rights and justice.
- f. Privacy Lab is a nexus for workshops and discussions concerning software, hardware, and spectrum freedom, as well as a resource for cryptographic and anonymity tools.

#### **5. Has your organization ever received a prior cy pres award? If yes, please cite the applicable case(s), identify the amount(s) awarded, and describe the nature and scope of the project(s) funded.**

No

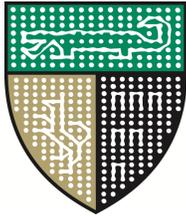
#### **6. Has your organization been reviewed or rated by Charity Navigator or similar entity? If yes, what are the organization's ratings?**

Yale has been rated on Charity Navigator, at 86%

#### **Grant Proposal**

#### **7. Identify the organization's principal investigator or project director.**

Jack M. Balkin, Knight Professor of Constitutional Law and the First Amendment, Director, ISP, [jack.balkin@yale.edu](mailto:jack.balkin@yale.edu).



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### **8. Provide a summary of the plan for the program or project request. Include the issue and/or opportunity addressed, goals and objectives, activities, and timeline.**

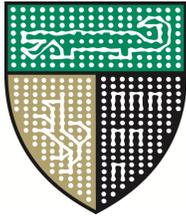
We propose to address privacy and related rights through work that has long term and short term influence. Our long term focus is growing and nurturing scholars and advocates in the field. To this end, we have asked for funds to support two research fellows per year who will focus on privacy and related questions in the algorithmic society. The ISP fellowship has a long and successful history of producing highly influential scholars and scholarship. Supporting the development of young scholars is central to our mission. Each ISP fellow stays in New Haven for a few years after which they remain in our larger academic network, supporting and mentoring those who come after them.

We also work directly to influence policy through the Tech Accountability Project (TAP) which is part of the larger Media Freedom and Information Access Clinic (MFIA); it focuses on the regulation of social media companies and digital platforms. The Clinical Director and clinical fellows are experienced lawyers who work with law students on drafting legislation, producing comments for administrative agencies, drafting amicus briefs, and litigation. Funding and resources would permit MFIA to take on more cases and policy projects that focus on privacy and algorithmic justice. We have asked for support for the project's director and two clinical fellows, each of whom will be experienced lawyers capable of working with and mentoring Yale Law students, who are some of the most talented in the world. In addition to influencing emerging policy, the clinic also encourages and inspires Yale Law students to take an interest in these questions. In this way we hope to create an ever increasing pool of brilliant lawyers who will continue to work to protect privacy rights throughout their careers.

The ISP offers its lawyers and researchers at least two years of funding. The Clinical Directors have a longer tenure but we try to ensure that their time is directed towards their valuable work instead of fundraising by ensuring that all grants offer at least two years of support. We have offered options in the budget (attached) for funding different combinations of people and work at the ISP, depending on the funds allocated to us.

### **9. Explain why the organization is approaching the issue and/or opportunity in this way.**

The ISP is located within Yale Law School and draws on the strengths of its academic community as well as the law school's outstanding student body. Yale Law students' interests are shaped by the issues they work on while they are in New Haven. Our academic fellowship immerses promising young scholars in the community of information scholars that the ISP has been growing for a quarter century, and in the wider network of scholars that Yale University offers. Scholars like James Grimmelman and Margot Kaminski were nurtured by the ISP at the start of their careers. The ISP community also includes stalwarts of privacy theory like Daniel Solove, Daniel Citron and Neil Richards.



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**10. Identify and explain the range of funds required to effectuate the program or project request, on an aggregate and annual basis (if applicable), including how the money will be used.**

The total amount requested is \$2,639,646 for two ISP research fellows, the Clinical Director of the Tech Accountability Project and one clinical fellow, along with the expected costs of litigation and the administrative costs of hosting this project. Our request is for four years of funding.

We have broken this down into funds for the Clinical Director and the clinic's work (\$1,292,703), funds for one or two clinical fellows (\$596,521 each for four years) and one or two research fellows (\$502,745 each for four years). The figures include institutional costs for hosting and supporting the fellows.

**11. Will the money be used to continue an existing project or create a new project?**

It will ensure that our tried-and-tested projects have the resources to focus on privacy.

**12. What target population will your organization's project benefit?**

In the long term, it will benefit the public through its new ideas about privacy and its litigation, and influence of law and regulation. Additionally, the law students and scholars who are a part of this project will continue have a generative effect through their future work.

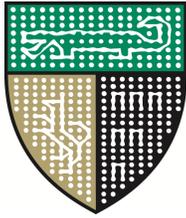
## Evaluation

**13. Will your organization agree to provide a report to the Court and the parties every six months informing the Court and the parties of how any portion of the Settlement Fund allocated to it has been used and how remaining funds will be used?**

Yes

**14. Describe how your organization will evaluate the success of the grant on enhancing or promoting the protection of internet privacy.**

We will report publications, events, litigation and policy engagement made possible by this project. Our events are made accessible to others through zoom. Our greatest strength is our long term impact. Our scholars remain a part of the community and continue to enhance and promote privacy through their brilliant careers.



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**15. Does your organization intend to use the results of the project in any publications, conference papers, and presentations?**

Yes