



RE: Marfeo v. Facebook C.A. No. 10-262
Ryan Jackson to: rufino_santos
Cc: pnwlaw

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11/19/2010 12:31 PM
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RICHARD W. WICKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Mr. Santos:

As per the request of Attorney Wasylyk, please find attached a PDF file of a Certified Copy of the Order Entering the Parties' Stipulation to Transfer the above-referenced matter to the USDC for the Northern District of CA.

If you have any further questions or requests, please do not hesitate to contact me.

Ryan H. Jackson
Calendar Clerk,
United States District Judge William E. Smith
direct dial: 401-752-7213

CV10

5301

BZ

E-filing

From: pnwlaw@aol.com [mailto:pnwlaw@aol.com]
Sent: Friday, November 19, 2010 3:26 PM
To: Ryan Jackson
Subject: RE: Marfeo v. Facebook C.A. No. 10-262

WENDY MARFEO v. FACEBOOK
C.A. No. 10-262-WS

Ryan:

Thank you for your help.

As per our discussion Rufino Santos from the United States District Court for the Northern District of California asked that you send a certified copy of the transfer order via email.

His email address is: rufino_santos@cand.uscourts.gov.

His direct phone number is 1-415-522-2043.

Thank you again...

Attorney Peter N. Wasyluk



cell phone 401-965-1896 10262 cert cc trans o.pdf

UNITED STATES DISTRICT COURT
DISTRICT OF RHODE ISLAND

WENDY MARFEO, individually and on behalf of
all others similarly situated,

Plaintiff,

v.

FACEBOOK, INC.,

Defendant.

C.A. No. 10-262-WS

**STIPULATION AND ORDER TRANSFERRING CASE TO
NORTHERN DISTRICT OF CALIFORNIA**

Plaintiff Wendy Marfeo and defendant Facebook Inc. ("Facebook"), by and through their respective counsel, stipulate and agree as follows:

WHEREAS, Plaintiff first filed her Class Action Complaint in this Court on June 17, 2010 and filed her First Amended Class Action Complaint in this Court on October 18, 2010;

WHEREAS, Plaintiff alleges that she is a user of the Facebook social networking website;

WHEREAS, Facebook's Statement of Rights and Responsibilities ("SRR"), applicable to all Facebook users, provides that Facebook users will resolve claims they have with Facebook arising out of or relating to Facebook or the SRR exclusively in a state or federal court located in Santa Clara County, California;

WHEREAS, there are two related class actions already pending in the United States District Court for the Northern District of California, San Jose Division (located in Santa Clara County), titled *Robertson v. Facebook, Inc.*, No. 10-cv-02306-JF, and *Gould v. Facebook, Inc.*

DAVID J. [unclear]
By [signature]

Case No. 10-cv-02389-JW, which have been consolidated into one action titled *In re: Facebook Privacy Litigation*, Case No. 10-cv-02389-JW;

WHEREAS, in *In re: Facebook Privacy Litigation*, plaintiffs filed a consolidated class action complaint on October 11, 2010, alleging that Facebook shares users' information with third parties without users' knowledge or consent; and

WHEREAS, Local Rule 29 of this Court permits parties to stipulate to extend time for a defendant to respond to a complaint for up to thirty days without a court order;

NOW THEREFORE, the parties hereby stipulate and agree and request the Court to order as follows:

1. Facebook agrees not to contest Plaintiff's service of the First Amended Class Action Complaint and agrees to accept service of the First Amended Class Action Complaint as of October 22, 2010.
2. Facebook shall have an extension of 30 days, until and including December 6, 2010, to answer, move to dismiss, or otherwise respond to the First Amended Class Action Complaint, without prejudice to stipulating to or seeking additional time in the Northern District of California after this matter is transferred.
3. This case shall be transferred from the District of Rhode Island to the Northern District of California pursuant to 28 U.S.C. § 1406.
4. As provided for in the SRR, the laws of the State of California shall govern this case. To the extent the Court determines that there is a choice-of-law question that must be resolved, the choice-of-law rules of the Northern District of California (and not the District of Rhode Island or any other court) shall apply in this case.

IT IS SO STIPULATED.

Dated: October 27, 2010

By: s/s Mitchell R. Edwards
Mitchell R. Edwards (#6942)
Hinckley Allen Snyder LLP
50 Kennedy Plaza, Suite 1500
Providence, RI 02903-2319
Tel.: (401) 274-2000
Fax: (401) 277-9600
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Michael G. Rhodes (*pro hac vice application pending*)
Matthew D. Brown (*pro hac vice application pending*)
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mostrovsky@cooley.com

Attorneys for Defendant FACEBOOK, INC.

Dated: October 27, 2010

By: s/s Peter N. Wasylyk
Peter N. Wasylyk (#3351)
Law Offices of Peter N. Wasylyk
1307 Chalkstone Avenue
Providence, RI 02908
Tel.: (401) 831-7730
Fax: (401) 861-6064
pnwlaw@aol.com

Attorneys for Plaintiff

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: November 1
~~October~~ _____, 2010

By: WESM
Hon. William E. Smith
JUDGE, UNITED STATES DISTRICT
COURT

UNITED STATES DISTRICT COURT
DISTRICT OF RHODE ISLAND

WENDY MARFEO, individually and on behalf of
all others similarly situated,

Plaintiff,

C.A. No. 10-262-WS

v.

FACEBOOK, INC.,

Defendant.

**STIPULATION AND ORDER TRANSFERRING CASE TO
NORTHERN DISTRICT OF CALIFORNIA**

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FILED
DATED 11/02/10
By [Signature]

Case No. 10-cv-02389-JW, which have been consolidated into one action titled *In re: Facebook Privacy Litigation*, Case No. 10-cv-02389-JW;

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IT IS SO STIPULATED.

Dated: October 27, 2010

By: s/s Mitchell R. Edwards
Mitchell R. Edwards (#6942)
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mostrovsky@cooley.com

Attorneys for Defendant FACEBOOK, INC.

Dated: October 27, 2010

By: s/s Peter N. Wasylyk
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Providence, RI 02908
Tel.: (401) 831-7730
Fax: (401) 861-6064
pnwlaw@aol.com

Attorneys for Plaintiff

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: November 1
~~October~~, 2010

By: WESM
Hon. William E. Smith
JUDGE, UNITED STATES DISTRICT
COURT

CLOSED

**U.S. District Court
 District of Rhode Island (Providence)
 CIVIL DOCKET FOR CASE #: 1:10-cv-00262-S-LDA**

Marfeo v. Facebook, Inc.
 Assigned to: Judge William E Smith
 Referred to: Magistrate Judge Lincoln D. Almond
 Cause: 18:2701 Stored Communications Act

Date Filed: 06/17/2010
 Date Terminated: 11/02/2010
 Jury Demand: Both
 Nature of Suit: 890 Other Statutory Actions
 Jurisdiction: Federal Question

Plaintiff

Wendy Marfeo
*Individually and on behalf of all others
 similarly situated*

represented by **Peter N. Wasylyk**
 Law Offices of Peter N. Wasylyk
 1307 Chalkstone Avenue
 Providence, RI 02908
 831-7730
 Fax: 861-6064
 Email: pnwlaw@aol.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

Facebook, Inc.

represented by **Mitchell R. Edwards**
 Hinckley, Allen & Snyder LLP
 50 Kennedy Plaza
 Suite 1500
 Providence, RI 02903
 274-2000
 Fax: 277-9600
 Email: medwards@haslaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
06/17/2010	<u>1</u>	COMPLAINT against Facebook, Inc. (Filing fee \$ 350 receipt number 14670003440.), filed by Wendy Marfeo. (Attachments: # <u>1</u> Civil Cover Sheet)(Jackson, Kerrie)File Date Modified on 6/18/2010 (Jackson, Kerrie). (Entered: 06/18/2010)
06/17/2010		Summons Issued as to Facebook, Inc.. (Jackson, Kerrie) (Entered: 06/18/2010)
10/18/2010	<u>2</u>	AMENDED COMPLAINT against Facebook, Inc., filed by Wendy Marfeo.(Wasylyk, Peter) (Entered: 10/18/2010)
10/26/2010	<u>3</u>	NOTICE of Appearance by Mitchell R. Edwards on behalf of Facebook, Inc. (Edwards, Mitchell) (Entered: 10/26/2010)
10/26/2010	<u>4</u>	MOTION for Maria Ostrovsky to Appear Pro Hac Vice by Facebook, Inc.. (Edwards, Mitchell) (Entered: 10/26/2010)
10/26/2010	<u>5</u>	MOTION for Matthew Dean Brown to Appear Pro Hac Vice by Facebook, Inc.. (Edwards, Mitchell) (Entered: 10/26/2010)

10/26/2010	<u>6</u>	MOTION for Michael G. Rhodes to Appear Pro Hac Vice by Facebook, Inc.. (Edwards, Mitchell) (Entered: 10/26/2010)
10/27/2010	<u>7</u>	APPLICATION FOR ADMISSION PRO HAC VICE re <u>6</u> MOTION for Michael G. Rhodes to Appear Pro Hac Vice by Facebook, Inc.. (Smith, Rana) (Entered: 10/27/2010)
10/27/2010	<u>8</u>	APPLICATION FOR ADMISSION PRO HAC VICE re <u>4</u> MOTION for Maria Ostrovsky to Appear Pro Hac Vice by Facebook, Inc.. (Smith, Rana) (Entered: 10/27/2010)
10/27/2010	<u>9</u>	APPLICATION FOR ADMISSION PRO HAC VICE re <u>5</u> MOTION for Matthew Dean Brown to Appear Pro Hac Vice by Facebook, Inc.. (Smith, Rana) (Entered: 10/27/2010)
10/27/2010	<u>10</u>	STIPULATION and [Proposed] Order Transferring Case to Northern District of California by Facebook, Inc., Wendy Marfeo. (Edwards, Mitchell) (Entered: 10/27/2010)
11/02/2010	<u>11</u>	ORDER ENTERING <u>10</u> Stipulation and Order filed by Wendy Marfeo, Facebook, Inc. Transferring Case to Northern District of CA. So Ordered by Judge William E. Smith on 11/1/10. (Jackson, Ryan) (Entered: 11/02/2010)

PACER Service Center			
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11/19/2010 17:04:18			
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