

1 COOLEY LLP
 2 MICHAEL G. RHODES (116127)
 (rhodesmg@cooley.com)
 3 MATTHEW D. BROWN (196972)
 (brownmd@cooley.com)
 4 JAMES M. PENNING (229727)
 (jpenning@cooley.com)
 5 101 California Street
 5th Floor
 San Francisco, CA 94111-5800
 6 Telephone: (415) 693-2000
 Facsimile: (415) 693-2222
 7

8 Attorneys for Defendant
 9 FACEBOOK, Inc.

10 UNITED STATES DISTRICT COURT
 11 NORTHERN DISTRICT OF CALIFORNIA
 12 SAN JOSE DIVISION

13 IN RE:
 14 FACEBOOK PRIVACY LITIGATION.

Case No. 10-cv-02389-JW

**DECLARATION OF ANA YANG IN
 SUPPORT OF FACEBOOK, INC.'S
 MOTION TO DISMISS
 CONSOLIDATED CLASS ACTION
 COMPLAINT**

DATE: March 28, 2011
TIME: 9:00 a.m.
COURTROOM: 8 (4th Floor)
JUDGE: Hon. James Ware
TRIAL DATE: None Set

22
 23
 24 I, Ana Yang, hereby declare as follows:

25 1. I am a Product Marketing Associate employed by Defendant Facebook, Inc.
 26 (“Facebook”). Except as otherwise noted, I have personal knowledge of the following facts and if
 27 called to testify could and would testify competently thereto.

28 2. Facebook’s Statement of Rights and Responsibilities (previously referred to as

1 Facebook's "Terms of Use," "Terms of Service," or "Terms") sets forth certain rights and
2 obligations of both Facebook and users of the Facebook website. The Statement of Rights and
3 Responsibilities is posted on the Facebook website. Attached as **Exhibit A** is a true and correct
4 copy of Facebook's Statement of Rights and Responsibilities that was effective on May 31, 2010
5 as referenced in the Consolidated Class Action Complaint (the "Complaint").

6 3. Facebook's Privacy Policy discloses how Facebook users can utilize Facebook to
7 share content and information with others and how Facebook collects and uses that content and
8 information. Attached as **Exhibit B** is a true and correct copy of Facebook's Privacy Policy that
9 was effective on May 31, 2010 as referenced in the Complaint.

10 4. Facebook's Privacy Guide teaches Facebook users how they can manage who can
11 see their information on and off of Facebook. Attached as "**Exhibit C**" is a true and correct copy
12 of Facebook's Privacy Guide that was effective on May 31, 2010 as referenced in the Complaint.

13 I declare under penalty of perjury under the laws of the United States of America that the
14 foregoing is true and correct.

15 Executed on January 10, 2011, at Palo Alto, California.

16
17 
18 Ana Yang

19
20 1205136/SF

21
22
23
24
25
26
27
28