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8 Attorneys for Defendant FACEBOOK, INC.

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

13 RYAN UNG, CHI CHENG and ALICE
 ROSEN, on Behalf of Themselves and All
 14 Others Similarly Situated,

15 Plaintiffs,

16 v.

17 FACEBOOK, INC.,

18 Defendant.

Case No. 11-CV-02829-JF-PSG

**[PROPOSED] ORDER GRANTING
 FACEBOOK, INC.'S MOTION TO DISMISS
 PLAINTIFFS' CLASS ACTION COMPLAINT**

Date: To be determined
 Time: To be determined
 Judge: Hon. Jeremy Fogel
 Courtroom: 3
 Trial Date: Not yet set

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 21 Defendant Facebook, Inc.'s Motion to Dismiss Plaintiffs' First Amended Consolidated
 22 Class Action Complaint was heard before this Court. Counsel for Facebook and counsel for
 23 Plaintiffs were in attendance and presented oral arguments. Having considered the parties' papers
 24 filed in support of and in opposition to the motion, including Facebook's Request for Judicial
 25 Notice and the Declaration of Ana Yang Muller in support thereof, oral argument, and all other
 26 materials properly considered by the Court, and good cause having been shown, the Court issues
 27 the following findings and orders:
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IT IS HEREBY ORDERED THAT Facebook’s Request for Judicial Notice in support of its Motion to Dismiss is **GRANTED**.

The Court further finds as follows:

With respect to Count I, for violation of Article I, Section 1 of the California Constitution, Plaintiffs fail to state a claim upon which relief can be granted.

With respect to Count II, for unjust enrichment, Plaintiffs fail to state a claim upon which relief can be granted.

Accordingly, **IT IS HEREBY ORDERED THAT:**

Facebook’s Motion to Dismiss Plaintiffs’ Class Action Complaint is **GRANTED**; and Plaintiffs’ Class Action Complaint and all claims for relief alleged therein are hereby **DISMISSED WITH PREJUDICE**.

IT IS SO ORDERED.

DATED: _____

THE HONORABLE JEREMY FOGEL
UNITED STATES DISTRICT JUDGE

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