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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  
 14 ROSEN, on Behalf of Themselves and All  
 Others Similarly Situated,

15 Plaintiffs,

16 v.

17 FACEBOOK, INC.,

18 Defendant.

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

**DECLARATION OF ANA YANG MULLER IN  
 SUPPORT OF 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

21 I, Ana Yang Muller, hereby declare as follows:

22 1. I am employed by Defendant Facebook, Inc. ("Facebook"). Except as otherwise  
 23 noted, I have personal knowledge of the following facts and if called to testify could and would  
 24 testify competently thereto.

25 2. Facebook's Statement of Rights and Responsibilities (previously referred to as  
 26 Facebook's "Terms of Use," "Terms of Service," or "Terms") sets forth certain rights and  
 27 responsibilities of both Facebook and users of the Facebook website. The Statement of Rights  
 28 and Responsibilities is posted on the Facebook website, and can be found, among other ways, by

1 clicking on a link titled "Terms" at the bottom of the Facebook webpage. Attached as **Exhibit A**  
2 is a true and correct copy of the Statement of Rights and Responsibilities, last accessed on July  
3 20, 2011.

4 3. Facebook's Privacy Policy discloses how Facebook users can utilize Facebook to  
5 share content and other information with others and how Facebook collects and uses that content  
6 and information. The Privacy Policy is posted on the Facebook website, and can be found,  
7 among other ways, by clicking on a link titled "Privacy Policy" in the Statement of Rights and  
8 Responsibilities. Attached as **Exhibit B** is a true and correct copy of Facebook's Privacy Policy,  
9 last accessed on July 20, 2011.

10 I declare under penalty of perjury that the foregoing is true and correct.

11 Executed on July 20, 2011 at Palo Alto, California.

12  
13   
14 Ana Yang Muller