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13 **UNITED STATES DISTRICT COURT**
 14 **NORTHERN DISTRICT OF CALIFORNIA**
 15 **SAN JOSE DIVISION**

16
 17 IN RE: FACEBOOK, INC. INTERNET
 18 TRACKING LITIGATION

No. 5:12-md-02314-EJD

**DECLARATION OF WILFRED GOMES IN
 SUPPORT OF PLAINTIFFS' MOTION TO
 COMPEL DISCOVERY AND TO COMPEL
 COMPLIANCE WITH PROTECTIVE
 ORDER**

F.R.C.P. 26(c) and 37(a)
 N.D. Cal. L.R. 37-1 and 37-2

Date: April 28, 2016
 Time: 9:00 a.m.
 Courtroom: 4
 Judge: The Honorable Edward J. Davila
 Trial Date: None Set

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DECLARATION OF WILFRED GOMES

I, Wilfred Gomes, declare as follows:

1. I am a paralegal at Kaplan Fox & Kilsheimer LLP, interim co-lead counsel for the class in the above-captioned case.

2. On April 16, 2014, Facebook counsel produced 12,804 documents in electronic form, consisting of approximately 65,000 pages. One additional document, a PDF, had been produced prior.¹

3. I manually inspected all 12,805 documents produced by the defendant (Bates Numbered: FB_MDL_00000001 – FB_MDL_00064898).

4. My inspection revealed that only three individuals were identified as custodians for the documents (Alex Himel, Gregg Stefancik and Scott Renfro). In addition, 427 documents identify only “Facebook” as the custodian, and 26 documents do not identify a custodian.

5. The document bearing bates number FB_MDL_0004555 has material redacted and replaced with a text box containing the following text: “Non-Responsive Content Redacted.” Through trial-and-error, I estimate the typeface size to be approximately 3-point.

6. My inspection also revealed that of the 12,805 documents produced:

a. 12,800 documents are designated “Highly Confidential.”

b. 4 documents are designated “Confidential”: FB_MDL_00015193-195, FB_MDL_00020568, FB_MDL_00049905, and FB_MDL_00052734. Of these four, two are blank placeholder pages indicating that the document could not be converted.

c. 1 document does not have any confidentiality designation (the document described in fn. 1).

¹ The first document produced by the defendant (Bates Numbered: FB_MDL_00000001 – FB_MDL_00000360) appears to be a collection of dozens of documents produced in hard copy without any discernable document breaks and so is being counted as one document.

1 I declare under penalty of perjury under the laws of the United States that the foregoing is true
2 and correct.

3 Executed this 16th day of March, 2016, in New York, New York.
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6 /s/ Wilfred Gomes
7 Wilfred Gomes
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