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12		
13	UNITED STATES DISTRICT COURT	
	NORTHERN DISTRICT OF CALIFORNIA SAN JOSE DIVISION	
14	SAIV	IOSE DIVISION
15		
16	IN RE: FACEBOOK, INC. INTERNET	No. 5:12-md-02314-EJD
17	TRACKING LITIGATION	SUPPLEMENTAL DECLARATION OF DAVID A. STRAITE IN SUPPORT OF
18		PLAINTIFFS' MOTION TO COMPEL
19		DISCOVERY AND TO COMPEL COMPLIANCE WITH PROTECTIVE ORDER
20		
21		F.R.C.P. 26(c) and 37(a)
		N.D. Cal. L.R. 37-1 and 37-2
22		Date: April 28, 2016 Time: 9:00 a.m.
23		Courtroom: 4
24		Judge: The Honorable Edward J. Davila
25		Trial Date: None Set
26		
27		
28		

SUPPLEMENTAL DECLARATION OF DAVID A. STRAITE

- I, David A. Straite, declare as follows:
- 1. I am an attorney admitted *pro hac vice* to practice before this Court in this matter. I am an attorney at the law firm of Kaplan Fox & Kilsheimer LLP, Interim Co-Lead Class Counsel in this class action against Defendant Facebook, Inc.
- 2. I submit this supplemental declaration in support of plaintiffs' motion to compel (the "Motion"). The following statements are based on my personal knowledge and review of the files in this case and, if called on to do so, I could and would testify competently thereto.
- 3. Attached hereto as Exhibit 1 is a true and correct copy of a document produced by defendant in this action and bearing bates number FB_MDL_00000251 on the first page.
- 4. Attached hereto as Exhibit 2 is a true and copy of the 27-page production of documents I received from Facebook counsel on April 5, 2016. The transmittal letter was dated April 4, 2016 and the letter and the production were sent by Fedex overnight delivery.
- 5. Attached hereto as Exhibit 3 is a true and correct copy of defendant's Rule 26(a) initial disclosures dated July 27, 2012 and signed by outside counsel Matthew D. Brown.
- 6. Attached hereto as Exhibit 4 is a true and correct copy of a document produced by plaintiffs bearing bates number FB_MDL2314_PLAINTIFF_00000035 on the first page.
- 7. Attached hereto as Exhibit 5 is a true and correct copy of a document produced by plaintiffs bearing bates number FB_MDL2314_PLAINTIFF_00000337 on the first page.
- 8. Attached hereto as Exhibit 6 is a true and correct copy of a document produced by plaintiffs bearing bates number FB_MDL2314_PLAINTIFF_00000113 on the first page.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed on this 6th day of April, 2016, at New York, NY.

<u>/s/ David Straite</u>
David A. Straite

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