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12 Attorneys for Defendant
 13 FACEBOOK, INC.

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

17 In re: Facebook Internet Tracking Litigation

18 Case No. 5:12-md-02314 EJD

19 **DECLARATION OF SANDEEP SOLANKI IN**
 20 **SUPPORT OF DEFENDANT FACEBOOK,**
 21 **INC.'S MOTION TO DISMISS PLAINTIFFS'**
 22 **CORRECTED FIRST AMENDED**
 23 **CONSOLIDATED CLASS ACTION**
 24 **COMPLAINT (FED. R. CIV. P. 12(b)(1) &**
 25 **12(b)(6))**

26 **DATE:** September 21, 2012
 27 **TIME:** 9:00 a.m.
 28 **COURTROOM:** 4
JUDGE: Edward J. Davila
TRIAL DATE: None Set

29 I, Sandeep Solanki, hereby declare as follows:

30 1. I am an attorney employed as Lead Litigation Counsel by Defendant Facebook,
 31 Inc. ("Facebook"). Except as otherwise noted, I have personal knowledge of the following facts
 32 and if called to testify could and would testify competently thereto.

33 2. Facebook's Statement of Rights and Responsibilities ("SRR") (previously referred
 34 to as Facebook's "Terms of Use," and sometimes also referred to as "Terms of Service" or just

1 “Terms”) sets forth certain rights and responsibilities of both Facebook and users of the Facebook
2 website (“Users”). The SRR is posted on the Facebook website, and can be viewed, among other
3 ways, by clicking on a link titled “Terms” when users register for Facebook, or by clicking on the
4 “Terms” link at the bottom of most pages on the Facebook website. Users must agree to the SRR
5 when registering for an account. Attached as **Exhibit A** is a true and correct copy of the SRR that
6 was effective as of May 27, 2010 (this SRR indicates, “Date of Last Revision: April 22, 2010”),
7 the beginning of the proposed class period in this case. Attached as **Exhibit B** is a true and
8 correct copy of the SRR that was in effect from April 26, 2011 (this SRR indicates, “Date of Last
9 Revision: April 26, 2011”) through the end of the proposed class period.

10 3. Facebook’s Privacy Policy (also known as Facebook’s “Data Use Policy” as of
11 September 23, 2011) discloses, among other things, what information Facebook receives and how
12 that information is used. The Privacy Policy is posted on the Facebook website, and can be
13 found, among other ways, by clicking on a link titled “Privacy Policy” in the SRR, and by
14 clicking on a link titled “Privacy” at the bottom of most pages on the Facebook website. Users
15 must acknowledge that they have read Facebook’s Privacy Policy when registering for the site.
16 Attached as **Exhibit C** is a true and correct copy of Facebook’s Privacy Policy that was effective
17 as of May 27, 2010 (this Privacy Policy indicates, “Date of last revision: April 22, 2010”), the
18 beginning of the proposed class period in this case. Attached as **Exhibit D** is a true and correct
19 copy of Facebook’s Data Use Policy (Privacy Policy) that was in effect from September 23, 2011
20 (this Data Use Policy indicates, “Date of last revision: September 23, 2011”) through the end of
21 the proposed class period.

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

Executed on July 2, 2012 at Menlo Park, California.

/s/ Sandeep Solanki
Sandeep Solanki

ATTESTATION

In accordance with General Order No. 45 § X(B), I hereby attest that I have obtained concurrence in the filing of this Declaration from the signatory listed above.

By: /s/ Matthew D. Brown
Matthew D. Brown

2631383/ST