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FACEBOOK, INC.  
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9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA  
11 SAN JOSE DIVISION

13 In re: Facebook Internet Tracking Litigation

Case No. 5:12-md-02314 EJD

**DEFENDANT FACEBOOK, INC.’S  
STATEMENT OF RECENT DECISIONS  
RELEVANT TO MOTION TO DISMISS  
PLAINTIFFS’ CORRECTED FIRST  
AMENDED CONSOLIDATED CLASS  
ACTION COMPLAINT; REQUEST FOR  
LEAVE**

**JUDGE:** Edward J. Davila  
**TRIAL DATE:** None Set

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21 On July 2, 2012, Defendant Facebook, Inc. (“Facebook”) filed a Motion to Dismiss  
22 Plaintiffs’ Corrected First Amended Consolidated Class Action Complaint (“Motion”). On  
23 October 5, 2012, this Court heard argument on Facebook’s Motion and took the matter under  
24 submission. Recently, the United States Supreme Court and this Court have issued decisions that  
25 are relevant to issues raised by the pending Motion. Facebook hereby seeks leave to provide the  
26 following supplemental authorities for the Court’s consideration when deciding the Motion:  
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Exhibit A: *Clapper v. Amnesty Int'l USA*, No. 11–1025, slip op. (U.S. Feb. 26, 2013); and  
Exhibit B: *In re LinkedIn User Privacy Litig.*, No. 5:12-CV-03088 EJD, slip op. (N.D.  
Cal. Mar. 6, 2013).

Dated: March 7, 2013

COOLEY LLP

/s/ Matthew D. Brown  
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