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12  
13 UNITED STATES DISTRICT COURT  
14 NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

15  
16 IN RE: FACEBOOK, INC. INTERNET  
TRACKING LITIGATION

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

17 **[PROPOSED] REVISED**  
**CONSOLIDATION ORDER**

18 Judge: Hon. Edward J. Davila  
19 Crtrm.: 4

20 Trial Date: None

21  
22 Pursuant to the Court's Order granting the withdrawal of Stewarts Law US LLP as interim co-  
23 lead counsel for Plaintiffs, the Plaintiffs hereby submit a Proposed Revised Consolidation Order  
24 reflecting proposed changes to the structure of Plaintiff's counsel.

25 1. On May 15, 2013, Stewarts Law (a firm based in the United Kingdom) filed its Notice  
26 of Withdrawal from the Executive Committee Pursuant to Local Rule 11-5 [D.I. 62] for the reason  
27 that it restructured operations in the United States and noted that the Plaintiffs would be submitting a  
28 Proposed Revised Consolidation Order to reflect any changes to the structure of Plaintiff's counsel.

1           2.       On May 15, 2013 the Court entered its order granting such withdrawal. [D.I. 63].

2           3.       Due to the withdrawal of Stewarts Law, Plaintiffs seek the Court's Revised  
3 Consolidation Order appointing Stephen G. Grygiel, a partner in Keefe Bartels, LLC, to join James  
4 Frickleton, a partner in Bartimus, Frickleton, Robertson & Gorny, P.C., on the Executive Committee,  
5 in replacement of David Straite of Stewarts Law US LLC on the Executive Committee. Mr. Grygiel is  
6 currently a member of the Plaintiff's Steering Committee.

7           4.       In addition, Plaintiffs seek the Court's order appointing David Straite, the principal of  
8 STRAITE PLLC, as a member of the Plaintiff's Steering Committee, taking Mr. Grygiel's place. Mr.  
9 Straite was formerly a partner with Stewarts Law US LLP and was primarily responsible for this  
10 litigation on its behalf.

11          5.       This change of the counsel appointed to represent the Plaintiffs in this case is necessary  
12 in order to maintain the original representation plan to have two firms responsible as co-lead counsel  
13 and to fully staff the Plaintiffs' Steering Committee. No new individual counsel is joining the case  
14 and this Motion is in the best interests of the putative class.

15          6.       Attached as Exhibit "A" is the Declaration of James P. Frickleton in support of this  
16 motion.

17          7.       Counsel for defendant has been consulted and has no objection to this Proposed  
18 Revised Consolidation Order.

19  
20 Dated: June 24, 2013

Respectfully submitted,

**KIESEL + LARSON LLP**

*/s/ Paul R. Kiesel*

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**BARTIMUS, FRICKLETON,  
ROBERTSON & GORNY, P.C.**

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**[PROPOSED] REVISED CONSOLIDATION ORDER**

The court adopts plaintiff's proposed changes in the structure of plaintiff's counsel and appoints Stephen G. Grygiel of Keefe Bartels, LLC to the Interim Executive Committee for the plaintiffs and appoints David Straite of STRAITE PLLC as a member of the Plaintiffs' steering committee.

**IT IS SO ORDERED.**

DATED: \_\_\_\_\_

\_\_\_\_\_  
THE HONORABLE EDWARD J. DAVILA

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on June 24, 2013, I caused the foregoing to be electronically filed with the  
3 Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail  
4 addresses denoted on the Electronic Mail Notice List, and I hereby certify that I caused the foregoing  
5 document or paper to be mailed via the United States Postal Service to the non-CM/ECF participants  
6 indicated on the Manual Notice List.

7 I certify under penalty of perjury under the laws of the United States of America that the  
8 foregoing is true and correct. Executed on June 24, 2013.

9  
10 DATED: June 24, 2013

Respectfully Submitted,

KIESEL + LARSON LLP

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12  
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