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12 Attorneys for Defendant  
 FACEBOOK, INC.

13  
 14 UNITED STATES DISTRICT COURT  
 15 NORTHERN DISTRICT OF CALIFORNIA  
 16 OAKLAND DIVISION

17 MATTHEW CAMPBELL, MICHAEL  
 HURLEY, and DAVID SHADPOUR,

18 Plaintiffs,

19 v.

20 FACEBOOK, INC.,

21 Defendant.

Case No. C 13-05996 PJH (MEJ)

**PUTATIVE CLASS ACTION**

**DECLARATION OF ASHLEY ROGERS  
 IN SUPPORT OF DEFENDANT  
 FACEBOOK, INC.'S ADMINISTRATIVE  
 MOTION TO FILE DOCUMENTS UNDER  
 SEAL**

1 I, Ashley Rogers, declare as follows:

2 1. I am an attorney admitted to practice law before this Court. I am an associate in the  
3 law firm of Gibson, Dunn & Crutcher LLP, and I am one of the attorneys responsible for representing  
4 Defendant Facebook, Inc. in the above-captioned action. I submit this declaration in support of  
5 Facebook's Administrative Motion to File Portions of Its Opposition to Plaintiffs' Motion to  
6 Withdraw Plaintiff David Shadpour Without Prejudice. Unless otherwise stated, the following facts  
7 are within my personal knowledge and, if called and sworn as a witness, I could and would testify  
8 competently to these facts.

9 2. Pursuant to Civil Local Rule 79-5(d), during the afternoon on July 27, 2015, I  
10 informed Plaintiffs' counsel via e-mail that Facebook planned to file under seal Plaintiff David  
11 Shadpour's Corrected Objections and Responses to Facebook's First Set of Interrogatories  
12 ("Shadpour's Interrogatory Responses"), which Plaintiffs had designated as "Highly Confidential –  
13 Attorneys' Eyes Only" in its entirety, unless Plaintiffs stated that the information could be filed  
14 publicly. I also asked Plaintiffs whether Facebook needed to file under seal a portion of Facebook's  
15 Opposition to Plaintiffs' Motion to Withdraw Plaintiff David Shadpour Without Prejudice that  
16 references the fact that that Plaintiff Shadpour sent and received Facebook messages containing  
17 URLs and that he used other social networking and email services, which is information that we  
18 learned from Shadpour's Interrogatory Responses. Plaintiffs did not respond to the email by the time  
19 Facebook had to file its brief and application.

20 I declare under penalty of perjury under the laws of the United States of America and the  
21 State of California that the foregoing is true and correct, and that I executed this Declaration in  
22 Dallas, Texas, on July 27, 2015.

23  
24 \_\_\_\_\_  
/s/  
Ashley Rogers

25  
26 **ATTORNEY ATTESTATION**

27 Pursuant to Civil Local Rule 5-1, I, Christopher Chorba, hereby attest that concurrence in the  
28 filing of this document has been obtained from Ashley Rogers.

