

Exhibit 4

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18
19 UNITED STATES DISTRICT COURT
20 NORTHERN DISTRICT OF CALIFORNIA
21 OAKLAND DIVISION

22 MATTHEW CAMPBELL, MICHAEL
23 HURLEY, and DAVID SHADPOUR,

24 Plaintiffs,

25 v.

26 FACEBOOK, INC.,

27 Defendant.

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Case No. C 13-05996 PJH

**PLAINTIFF DAVID SHADPOUR'S
OBJECTIONS AND RESPONSES TO
DEFENDANT FACEBOOK, INC.'S
FIRST SET OF REQUESTS FOR
PRODUCTION**

1 PROPOUNDING PARTY: FACEBOOK, INC.
2 RESPONDING PARTY: DAVID SHADPOUR, on behalf of himself and all
3 others similarly situated
4 SET NO.: ONE

5
6 **PRELIMINARY STATEMENT**

7 Plaintiff has not completed his discovery in this action and has not completed his
8 preparation for trial. With regard to each Request for Production, Plaintiff reserves the right,
9 notwithstanding these answers and responses, to employ at trial or at any pre-trial proceeding
10 information subsequently obtained or discovered, information the materiality of which is not
11 presently ascertained, or information the Plaintiff does not regard as coming within the scope of
12 the Request for Production as Plaintiff understands them.

13 These responses are made solely for the purpose of this action. Each response is subject
14 to all objections as to competence, relevance, materiality, propriety, admissibility, privacy,
15 privilege, and any and all other objections that would require exclusion of any statement
16 contained here if any such Requests for Production were asked of, or any statement contained
17 here were made by, a witness present and testifying in court, all of which objections and grounds
18 are reserved and may be interposed at the time of trial.

19 Except for explicit facts admitted here, no incidental or implied admissions are intended.
20 Plaintiff's response or objections to any Request for Production or part of a Request for
21 Production are not an admission of any facts set forth or assumed by that Request. In addition,
22 each of Plaintiff's responses to a Request for Production or part of a Request for Production is not
23 a waiver of part or all of any objection he might make to that Request for Production, or an
24 admission that such answer or objection constitutes admissible evidence. All responses provided
25 are based on Plaintiff's present information and belief.

26 **GENERAL OBJECTIONS**

27 A. Plaintiff objects to each of the Requests to the extent it seeks information or
28 documents that are not relevant to a claim or defense of any party in this action nor likely to lead

1 to the discovery of admissible evidence or that is not relevant to the issue of class certification.

2 B. Plaintiff objects to each of the Requests to the extent it is inconsistent with, or
3 seeks to impose obligations in excess of, the Federal Rules of Civil Procedure or the local rules of
4 the United States District Court of the Northern District of California, or any applicable
5 scheduling order, case management order, or other ruling of the court.

6 C. Plaintiff objects to each of the Requests to the extent that they seek information
7 that is protected from discovery by the attorney-client privilege, work product doctrine, or any
8 other lawfully recognized privilege or protection (hereinafter “privileged information”). Any
9 inadvertent disclosure of privileged information is not intended and should not be construed to
10 constitute a waiver, either generally or specifically, with respect to such material or the subject
11 matter thereof.

12 D. Plaintiff objects to each of the Requests to the extent they seek information that is
13 equally available to Defendant or obtainable from another source that is more convenient, less
14 burdensome or less expensive. Plaintiffs further object to each of the Requests to the extent they
15 purport to require Plaintiff to “produce back” to Defendant documents Plaintiff obtains from
16 Defendant. Plaintiff will not produce to Defendant any documents that Plaintiff obtains from
17 Defendant as part of Defendant’s production of documents, unless Plaintiff possesses those
18 documents from a source other than Defendant’s document production during the course of this
19 litigation.

20 E. Plaintiff objects to each of the Requests to the extent it relates to an opinion or
21 contention on the grounds that such discovery requests are premature and inappropriate until after
22 substantial discovery has occurred.

23 F. Plaintiff has not completed his investigation or discovery regarding this matter.
24 Plaintiff expressly reserves the right to supplement, amend, correct, or clarify their responses and
25 objections to the Requests with subsequently obtained or discovered information or documents.

26 G. Plaintiff objects to each Request served by Defendant in this action to the extent it
27 is overly broad, burdensome, oppressive, vague, or generally non-specific so as not to indicate
28 what a full and complete response would be.

1 H. Plaintiff asserts these objections without waiving or intending to waive any
2 objections as to competency, relevancy, materiality, or privilege.

3 Subject to and without waiving the foregoing objections, and incorporating them by
4 reference into each of the responses provided below, Plaintiff responds as follows:

5 **PLAINTIFF'S RESPONSE TO REQUESTS FOR PRODUCTION OF DOCUMENTS**

6 NOW COMES Plaintiff, DAVID SHADPOUR, by and through his attorneys, pursuant to
7 the applicable Federal Rule of Civil Procedure, and for his response to Defendant's First Requests
8 for Production of Documents Propounded on Plaintiff, states as follows:

9 **REQUEST NO. 1**

10 Copies of all messages YOU have sent or received through the FACEBOOK MESSAGES
11 PRODUCT, including but not limited to "messages containing links to other websites' URLs" as
12 alleged in paragraph 70 of YOUR COMPLAINT.

13 **RESPONSE TO REQUEST NO. 1**

14 Plaintiff incorporates and references herein all of the General Objections. Plaintiff objects
15 to this Request as overbroad insofar as it seeks messages that do not contain URLs, or the content
16 of messages other than URLs, and therefore does not seek information "that is relevant to the
17 claims or defenses of any party" or "reasonably calculated to lead to the discovery of admissible
18 evidence." Fed. R. Civ. P. 26(b)(1). Plaintiff further objects on the grounds that this Request
19 seeks information related to third parties that is violative of rights to privacy firmly established by
20 the Constitutions of both the United States and the State of California. Plaintiff objects insofar as
21 this Request seeks information that is protected by the marital communications privilege. Subject
22 to and without waiving the foregoing objections, Plaintiff will produce any responsive, non-
23 privileged documents in his possession, custody, or control, if any.

24 **REQUEST NO. 2**

25 All DOCUMENTS evidencing, supporting, and/or otherwise relating to all oral or written
26 representations, assurances, promises, and/or warranties that YOU allege were made by
27 FACEBOOK to YOU concerning FACEBOOK and/or the FACEBOOK MESSAGES
28 PRODUCT, including but not limited to the "disclosures and statements" upon which YOU relied

1 in using FACEBOOK and/or the FACEBOOK MESSAGES PRODUCT, as alleged in
2 paragraph 70 of YOUR COMPLAINT.

3 **RESPONSE TO REQUEST NO. 2**

4 Plaintiff incorporates and references herein all of the General Objections. Plaintiff objects
5 to this Request as overbroad. Plaintiff further objects on the basis that the Request seeks
6 documents from Plaintiff that are already in Defendant's possession. Insofar as the Request seeks
7 documents that will be produced by Defendant, the Request is premature. Subject to and without
8 waiver of the foregoing objections, Plaintiff will produce any responsive, non-privileged
9 documents in his possession, custody, or control, if any.

10 **REQUEST NO. 3**

11 All DOCUMENTS evidencing, supporting, and/or otherwise relating to how and when
12 YOU first became aware of FACEBOOK's alleged conduct referenced in YOUR COMPLAINT.

13 **RESPONSE TO REQUEST NO. 3**

14 Plaintiff incorporates and references herein all of the General Objections. Plaintiff objects
15 to this Request as overbroad, and as calling for documents subject to the attorney-client privilege
16 and the work-product doctrine. Subject to and without waiver of the foregoing objections,
17 Plaintiff will produce any responsive, non-privileged documents in his possession, custody, or
18 control, if any.

19 **REQUEST NO. 4**

20 All DOCUMENTS evidencing, supporting, and/or otherwise relating to YOUR
21 understanding of how the FACEBOOK MESSAGES PRODUCT operates.

22 **RESPONSE TO REQUEST NO. 4**

23 Plaintiff incorporates and references herein all of the General Objections. Plaintiff objects
24 to this Request as overbroad. Insofar as the Request seeks documents that will be produced by
25 Defendant, the Request is premature. Plaintiff objects to this Request insofar as it seeks
26 documents that include expert material, and expressly reserves the right to supplement, clarify,
27 revise, or correct this response and to assert additional objections or privileges, in one or more
28 subsequent supplemental response(s) in accordance with the time period for exchanging expert

1 reports set by the Court. Subject to and without waiver of the foregoing objections, Plaintiff will
2 produce any responsive, non-privileged documents in his possession, custody, or control, if any.

3 **REQUEST NO. 5**

4 All DOCUMENTS referenced or relied upon in YOUR COMPLAINT.

5 **RESPONSE TO REQUEST NO. 5**

6 Plaintiff incorporates and references herein all of the General Objections. Plaintiff objects
7 to this Request in that it is overbroad, duplicative, and unduly burdensome, and in that the
8 documents sought are either publicly available or already in Defendant's possession and control.
9 Plaintiff further objects on the grounds that "relied upon" is overly broad and vague in the context
10 of this Request, as phrased. Plaintiff further objects on the grounds that this Request seeks
11 production of documents that are protected by the attorney-client privilege and the work-product
12 doctrine, including but not limited to communications with consultants who have not been
13 designated as testifying witnesses. Plaintiff objects to this Request insofar as it seeks documents
14 that include expert material, and expressly reserves the right to supplement, clarify, revise, or
15 correct this response and to assert additional objections or privileges, in one or more subsequent
16 supplemental response(s) in accordance with the time period for exchanging expert reports set by
17 the Court. Subject to and without waiver of the foregoing objections, Plaintiff will produce any
18 responsive, non-privileged documents in his possession, custody, or control, if any.

19 **REQUEST NO. 6**

20 All DOCUMENTS evidencing, supporting, and/or otherwise relating to the allegation in
21 paragraph 3 of YOUR COMPLAINT that "Facebook primarily generates revenue from targeted
22 advertising and the fundamental means of amassing the user data needed for effective targeted
23 advertising is through Facebook's 'Like' function."

24 **RESPONSE TO REQUEST NO. 6**

25 Plaintiff incorporates and references herein all of the General Objections. Plaintiff objects
26 to this Request in that it is overbroad, duplicative, and unduly burdensome, and in that the
27 documents sought are either publicly available or already in Defendant's possession and control.
28 Insofar as the Request seeks documents that will be produced by Defendant, the Request is

1 premature. Plaintiff further objects on the grounds that “evidencing, supporting, and/or otherwise
2 relating to” is overly broad and vague in the context of this Request, as phrased. Plaintiff further
3 objects on the grounds that this Request seeks production of documents that are protected by the
4 attorney-client privilege and the work-product doctrine, including but not limited to
5 communications with consultants who have not been designated as testifying witnesses. Plaintiff
6 objects to this Request insofar as it seeks documents that include expert material, and expressly
7 reserves the right to supplement, clarify, revise, or correct this response and to assert additional
8 objections or privileges, in one or more subsequent supplemental response(s) in accordance with
9 the time period for exchanging expert reports set by the Court. Subject to and without waiver of
10 the foregoing objections, Plaintiff will produce any responsive, non-privileged documents in his
11 possession, custody, or control, if any.

12 **REQUEST NO. 7**

13 All DOCUMENTS evidencing, supporting, and/or otherwise relating to the allegation in
14 paragraph 25 of YOUR COMPLAINT that “whenever a private message contains a URL,
15 Facebook uses a software application called a ‘web crawler’ to scan the URL, sending HTTP
16 requests to the server associated with the URL and then seeking various items of information
17 about the web page to which the URL is linked.”

18 **RESPONSE TO REQUEST NO. 7**

19 Plaintiff incorporates and references herein all of the General Objections. Plaintiff objects
20 to this Request in that it is overbroad, duplicative, and unduly burdensome, and in that the
21 documents sought are either publicly available or already in Defendant’s possession and control.
22 Insofar as the Request seeks documents that will be produced by Defendant, the Request is
23 premature. Plaintiff further objects on the grounds that “evidencing, supporting, and/or otherwise
24 relating to” is overly broad and vague in the context of this Request, as phrased. Plaintiff further
25 objects on the grounds that this Request seeks production of documents that are protected by the
26 attorney-client privilege and the work-product doctrine, including but not limited to
27 communications with consultants who have not been designated as testifying witnesses. Plaintiff
28 objects to this Request insofar as it seeks documents that include expert material, and expressly

1 reserves the right to supplement, clarify, revise, or correct this response and to assert additional
2 objections or privileges, in one or more subsequent supplemental response(s) in accordance with
3 the time period for exchanging expert reports set by the Court. Subject to and without waiver of
4 the foregoing objections, Plaintiff will produce any responsive, non-privileged documents in his
5 possession, custody, or control, if any.

6 **REQUEST NO. 8**

7 All DOCUMENTS evidencing, supporting, and/or otherwise relating to the allegation in
8 paragraph 25 of YOUR COMPLAINT that “[o]n information and belief, Facebook’s interception
9 occurred in transit, in transmission, and/or during transfer of users’ private messages.”

10 **RESPONSE TO REQUEST NO. 8**

11 Plaintiff incorporates and references herein all of the General Objections. Plaintiff objects
12 to this Request in that it is overbroad, duplicative, and unduly burdensome, and in that the
13 documents sought are either publicly available or already in Defendant’s possession and control.
14 Insofar as the Request seeks documents that will be produced by Defendant, the Request is
15 premature. Plaintiff further objects on the grounds that “evidencing, supporting, and/or otherwise
16 relating to” is overly broad and vague in the context of this Request, as phrased. Plaintiff further
17 objects on the grounds that this Request seeks production of documents that are protected by the
18 attorney-client privilege and the work-product doctrine, including but not limited to
19 communications with consultants who have not been designated as testifying witnesses. Plaintiff
20 objects to this Request insofar as it seeks documents that include expert material, and expressly
21 reserves the right to supplement, clarify, revise, or correct this response and to assert additional
22 objections or privileges, in one or more subsequent supplemental response(s) in accordance with
23 the time period for exchanging expert reports set by the Court. Subject to and without waiver of
24 the foregoing objections, Plaintiff will produce any responsive, non-privileged documents in his
25 possession, custody, or control, if any.

26 **REQUEST NO. 9**

27 All DOCUMENTS evidencing, supporting, and/or otherwise relating to the allegation in
28 paragraph 41 of YOUR COMPLAINT that “[t]he presence of a Facebook ‘Like’ button on a web

1 page enables Facebook to collect individual users' data, which it then employs in developing user
2 profiles to support and deliver targeted advertising — whether or not a user affirmatively clicks
3 on the button.”

4 **RESPONSE TO REQUEST NO. 9**

5 Plaintiff incorporates and references herein all of the General Objections. Plaintiff objects
6 to this Request in that it is overbroad, duplicative, and unduly burdensome, and in that the
7 documents sought are either publicly available or already in Defendant's possession and control.
8 Insofar as the Request seeks documents that will be produced by Defendant, the Request is
9 premature. Plaintiff further objects on the grounds that “evidencing, supporting, and/or otherwise
10 relating to” is overly broad and vague in the context of this Request, as phrased. Plaintiff further
11 objects on the grounds that this Request seeks production of documents that are protected by the
12 attorney-client privilege and the work-product doctrine, including but not limited to
13 communications with consultants who have not been designated as testifying witnesses. Plaintiff
14 objects to this Request insofar as it seeks documents that include expert material, and expressly
15 reserves the right to supplement, clarify, revise, or correct this response and to assert additional
16 objections or privileges, in one or more subsequent supplemental response(s) in accordance with
17 the time period for exchanging expert reports set by the Court. Subject to and without waiver of
18 the foregoing objections, Plaintiff will produce any responsive, non-privileged documents in his
19 possession, custody, or control, if any.

20 **REQUEST NO. 10**

21 All DOCUMENTS evidencing, supporting, and/or otherwise relating to the allegation in
22 paragraph 58 of YOUR COMPLAINT that “Facebook misleads users into believing that they
23 have a secure, private mechanism for communication – Facebook's private messaging function –
24 when, in fact, Facebook intercepts and scans the content of private messages to gather data in an
25 effort to bolster its ‘social plug-in’ network, to improve its marketing algorithms, and to increase
26 its ability to profit from data about Facebook users.”

27 **RESPONSE TO REQUEST NO. 10**

28 Plaintiff incorporates and references herein all of the General Objections. Plaintiff objects

1 to this Request in that it is overbroad, duplicative, and unduly burdensome, and in that the
2 documents sought are either publicly available or already in Defendant's possession and control.
3 Insofar as the Request seeks documents that will be produced by Defendant, the Request is
4 premature. Plaintiff further objects on the grounds that "evidencing, supporting, and/or otherwise
5 relating to" is overly broad and vague in the context of this Request, as phrased. Plaintiff further
6 objects on the grounds that this Request seeks production of documents that are protected by the
7 attorney-client privilege and the work-product doctrine, including but not limited to
8 communications with consultants who have not been designated as testifying witnesses. Plaintiff
9 to this Request insofar as it seeks documents that include expert material, and expressly reserves
10 the right to supplement, clarify, revise, or correct this response and to assert additional objections
11 or privileges, in one or more subsequent supplemental response(s) in accordance with the time
12 period for exchanging expert reports set by the Court. Subject to and without waiver of the
13 foregoing objections, Plaintiff will produce any responsive, non-privileged documents in his
14 possession, custody, or control, if any.

15 **REQUEST NO. 11**

16 All DOCUMENTS evidencing, supporting, and/or otherwise relating to the allegation in
17 paragraph 89 of YOUR COMPLAINT that "Facebook's practice of intercepting, scanning, and
18 generating 'Likes' from, users' private messages, are not necessary for the rendition of
19 Facebook's private messaging service, the protection of Facebook's rights or property, or the
20 security of Facebook users" and "have not be undertaken in the ordinary course of business of an
21 electronic communication service, as described in 28 U.S.C. § 2510(15)."

22 **RESPONSE TO REQUEST NO. 11**

23 Plaintiff incorporates and references herein all of the General Objections. Plaintiff objects
24 to this Request in that it is overbroad, duplicative, and unduly burdensome, and in that the
25 documents sought are either publicly available or already in Defendant's possession and control.
26 Insofar as the Request seeks documents that will be produced by Defendant, the Request is
27 premature. Plaintiff further objects on the grounds that "evidencing, supporting, and/or otherwise
28 relating to" is overly broad and vague in the context of this Request, as phrased. Plaintiff further

1 objects on the grounds that this Request seeks production of documents that are protected by the
2 attorney-client privilege and the work-product doctrine, including but not limited to
3 communications with consultants who have not been designated as testifying witnesses. Plaintiff
4 to this Request insofar as it seeks documents that include expert material, and expressly reserves
5 the right to supplement, clarify, revise, or correct this response and to assert additional objections
6 or privileges, in one or more subsequent supplemental response(s) in accordance with the time
7 period for exchanging expert reports set by the Court. Subject to and without waiver of the
8 foregoing objections, see Defendant’s Answer to paragraph 59 of the Consolidated Amended
9 Complaint. Plaintiff will produce any additional responsive, non-privileged documents in his
10 possession, custody, or control, if any.

11 **REQUEST NO. 12**

12 All DOCUMENTS evidencing, supporting, and/or otherwise relating to the allegation in
13 paragraph 91 of YOUR COMPLAINT that “[n]o party to the electronic communications alleged
14 herein consented to Facebook’s interception or use of the contents of the electronic
15 communications.”

16 **RESPONSE TO REQUEST NO. 12**

17 Plaintiff incorporates and references herein all of the General Objections. Plaintiff objects
18 to this Request in that it is overbroad, duplicative, and unduly burdensome, and in that the
19 documents sought are either publicly available or already in Defendant’s possession and control.
20 Insofar as the Request seeks documents that will be produced by Defendant, the Request is
21 premature. Plaintiff further objects on the grounds that “evidencing, supporting, and/or otherwise
22 relating to” is overly broad and vague in the context of this Request, as phrased. Plaintiff further
23 objects on the grounds that this Request seeks production of documents that are protected by the
24 attorney-client privilege and the work-product doctrine, including but not limited to
25 communications with consultants who have not been designated as testifying witnesses. Subject
26 to and without waiver of the foregoing objections, Plaintiff will produce any responsive, non-
27 privileged documents in his possession, custody, or control, if any.

28

1 **REQUEST NO. 13**

2 All DOCUMENTS evidencing, supporting, and/or otherwise relating to YOUR contention
3 that this ACTION is appropriate for class treatment, including but not limited to all
4 DOCUMENTS that support YOUR allegations in paragraphs 59–68 of YOUR COMPLAINT.

5 **RESPONSE TO REQUEST NO. 13**

6 Plaintiff incorporates and references herein all of the General Objections. Plaintiff objects
7 to this Request in that it is overbroad, duplicative, and unduly burdensome, and in that the
8 documents sought are either publicly available or already in Defendant’s possession and control.
9 Insofar as the Request seeks documents that will be produced by Defendant, the Request is
10 premature. Plaintiff further objects on the grounds that “evidencing, supporting, and/or otherwise
11 relating to” is overly broad and vague in the context of this Request, as phrased. Plaintiff further
12 objects on the grounds that this Request seeks production of documents that are protected by the
13 attorney-client privilege and the work-product doctrine, including but not limited to
14 communications with consultants who have not been designated as testifying witnesses. Subject
15 to and without waiver of the foregoing objections, Plaintiff will produce any responsive, non-
16 privileged documents in his possession, custody, or control, if any. *See also* Defendant’s Answer
17 to Plaintiffs’ Consolidated Amended Complaint, particularly ¶¶ 2, 27, admitting that Facebook
18 processes users’ messages, ¶ 3, admitting that Facebook has approximately 1.2 billion users, and
19 ¶ 17, admitting that Facebook users agree to uniform terms of service.

20 **REQUEST NO. 14**

21 All DOCUMENTS evidencing, supporting, and/or otherwise relating to any harm and/or
22 damage allegedly suffered by YOU due to the conduct complained of in this ACTION, including
23 but not limited to all DOCUMENTS relating to the specific and/or proximate cause of such harm
24 and/or damage.

25 **RESPONSE TO REQUEST NO. 14**

26 Plaintiff incorporates and references herein all of the General Objections. Plaintiff objects
27 to this Request in that it is overbroad and unduly burdensome, and in that the documents sought
28 are publicly available or already in Defendant’s possession and control. Insofar as the Request

1 seeks documents that will be produced by Defendant, the Request is premature. Plaintiff further
2 objects to this Request insofar as it seeks documents that include expert material, and expressly
3 reserves the right to supplement, clarify, revise, or correct this response and to assert additional
4 objections or privileges, in one or more subsequent supplemental response(s) in accordance with
5 the time period for exchanging expert reports set by the Court. Plaintiff further objects on the
6 grounds that “evidencing, supporting, and/or otherwise relating to” is overly broad and vague in
7 the context of this Request, as phrased. Plaintiff further objects on the grounds that this Request
8 seeks production of documents that are protected by the attorney-client privilege and the work-
9 product doctrine, including but not limited to communications with consultants who have not
10 been designated as testifying witnesses. Subject to and without waiver of the foregoing
11 objections, Plaintiff will produce any additional responsive, non-privileged documents in his
12 possession, custody, or control, if any.

13 **REQUEST NO. 15**

14 All DOCUMENTS evidencing, supporting, and/or otherwise relating to all
15 COMMUNICATIONS between YOU and FACEBOOK.

16 **RESPONSE TO REQUEST NO. 15**

17 Plaintiff incorporates and references herein all of the General Objections. Plaintiff objects
18 to this Request in that it is overbroad and unduly burdensome, and in that the documents sought
19 necessarily are already in Defendant’s possession and control. Plaintiff further objects on the
20 grounds that “evidencing, supporting, and/or otherwise relating to” is overly broad and vague in
21 the context of this Request, as phrased. Plaintiff further objects on the grounds that this Request
22 seeks production of documents that are protected by the attorney-client privilege and the work-
23 product doctrine, including but not limited to communications with consultants who have not
24 been designated as testifying witnesses. Subject to and without waiver of the foregoing
25 objections, Plaintiff will produce any responsive, non-privileged documents in his possession,
26 custody, or control, if any.

27 **REQUEST NO. 16**

28 All DOCUMENTS evidencing, supporting, and/or otherwise relating to all statements

1 and/or COMMUNICATIONS between YOU and/or YOUR counsel and any other person and/or
2 entity (including but not limited to all COMMUNICATIONS between YOU and all other putative
3 class members) relating to the ACTION and/or the allegations therein, excluding only privileged
4 COMMUNICATIONS between YOU and YOUR counsel (which must be recorded on a privilege
5 log as provided in the Instructions to these Requests).

6 **RESPONSE TO REQUEST NO. 16**

7 Plaintiff incorporates and references herein all of the General Objections. Plaintiff objects
8 to this Request in that it is overbroad and unduly burdensome. Plaintiff further objects insofar as
9 this Request seeks documents protected by attorney-client or work-product privilege, including
10 but not limited to communications with consultants who have not been designated as testifying
11 witnesses. Plaintiff further objects on the grounds that “evidencing, supporting, and/or otherwise
12 relating to” is overly broad and vague in the context of this Request, as phrased. Subject to and
13 without waiver of the foregoing objections, Plaintiff will produce any responsive, non-privileged
14 documents in his possession, custody, or control, if any.

15 **REQUEST NO. 17**

16 All DOCUMENTS evidencing, supporting, and/or otherwise relating to all putative class
17 action proceedings in which YOU have been involved, including but not limited to all transcripts,
18 declarations, and affidavits of any testimony provided by YOU in any such action(s), and any
19 judgments and/or court orders in any such action(s).

20 **RESPONSE TO REQUEST NO. 17**

21 Plaintiff incorporates and references herein all of the General Objections. Plaintiff objects
22 to this Request in that it is overbroad. Plaintiff objects insofar as this Request does not seek
23 information “that is relevant to the claims or defenses of any party” or “reasonably calculated to
24 lead to the discovery of admissible evidence.” Fed. R. Civ. P. 26(b)(1). Plaintiff further objects
25 on the grounds that “evidencing, supporting, and/or otherwise relating to” is overly broad and
26 vague in the context of this Request, as phrased. Plaintiff further objects on the grounds that this
27 Request seeks production of documents that are protected by the attorney-client privilege and the
28 work-product doctrine, including but not limited to communications with consultants who have

1 not been designated as testifying witnesses. Subject to and without waiving the foregoing
2 objections, Plaintiff will produce any responsive, non-privileged documents in his possession,
3 custody, or control, if any.

4 **REQUEST NO. 18**

5 All DOCUMENTS pertaining to this ACTION and/or the allegations in YOUR
6 COMPLAINT that YOU have received from any third party, whether such production was
7 voluntary or by compulsory process.

8 **RESPONSE TO REQUEST NO. 18**

9 Plaintiff incorporates and references herein all of the General Objections. Plaintiff objects
10 to this Request in that it is overbroad. Plaintiff further objects insofar as this Request does not
11 seek information “that is relevant to the claims or defenses of any party” or “reasonably
12 calculated to lead to the discovery of admissible evidence.” Fed. R. Civ. P. 26(b)(1). Plaintiff
13 further objects on the grounds that “pertaining to” is overly broad and vague in the context of this
14 Request, as phrased. Plaintiff further objects on the grounds that this Request seeks production of
15 documents that are protected by the attorney-client privilege and the work-product doctrine,
16 including but not limited to communications with consultants who have not been designated as
17 testifying witnesses. Plaintiff objects insofar as this Request seeks information that is protected
18 by the marital communications privilege. Subject to and without waiver of the foregoing
19 objections, Plaintiff will produce any responsive, non-privileged documents in his possession,
20 custody, or control, if any.

21 **REQUEST NO. 19**

22 All DOCUMENTS sufficient to identify all PERSONS having a financial interest in the
23 outcome of the ACTION.

24 **RESPONSE TO REQUEST NO. 19**

25 Plaintiff incorporates and references herein all of the General Objections. Plaintiff objects
26 insofar as this Request does not seek information “that is relevant to the claims or defenses of any
27 party” or “reasonably calculated to lead to the discovery of admissible evidence.” Fed. R. Civ. P.
28 26(b)(1). Plaintiff further objects on the grounds that this Request seeks production of documents

1 that are protected by the attorney-client privilege and the work-product doctrine, including but not
2 limited to communications with consultants who have not been designated as testifying witnesses.
3 Subject to and without waiver of the foregoing objections, Plaintiff will produce any responsive,
4 non-privileged documents in his possession, custody, or control, if any.

5 **REQUEST NO. 20**

6 All DOCUMENTS identified in YOUR initial Rule 26 disclosures, and all supplemental
7 disclosures.

8 **RESPONSE TO REQUEST NO. 20**

9 Plaintiff incorporates and references herein all of the General Objections. Plaintiff further
10 objects on the grounds that this Request seeks production of documents that are protected by the
11 attorney-client privilege and the work-product doctrine, including but not limited to
12 communications with consultants who have not been designated as testifying witnesses. Subject
13 to and without waiver of the foregoing objections, Plaintiff will produce any responsive, non-
14 privileged documents in his possession, custody, or control, if any.

15 **REQUEST NO. 21**

16 All DOCUMENTS evidencing, supporting, and/or otherwise relating to YOUR responses
17 to FACEBOOK's First Set of Interrogatories served in this ACTION, including but not limited to
18 all DOCUMENTS identified in YOUR responses to those Interrogatories.

19 **RESPONSE TO REQUEST NO. 21**

20 Plaintiff incorporates and references herein all of the General Objections. Plaintiff objects
21 to this Request in that it is overbroad, duplicative, and unduly burdensome, and in that the
22 documents sought are either publicly available or already in Defendant's possession and control.
23 Insofar as the Request seeks documents that will be produced by defendants, the Request is
24 premature. Plaintiff further objects on the grounds that "evidencing, supporting, and/or otherwise
25 relating to" is overly broad and vague in the context of this Request, as phrased. Plaintiff further
26 objects on the grounds that this Request seeks production of documents that are protected by the
27 attorney-client privilege and the work-product doctrine, including but not limited to
28 communications with consultants who have not been designated as testifying witnesses. Plaintiff

1 objects to this Request insofar as it seeks documents that include expert material, and expressly
2 reserves the right to supplement, clarify, revise, or correct this response and to assert additional
3 objections or privileges, in one or more subsequent supplemental response(s) in accordance with
4 the time period for exchanging expert reports set by the Court. Subject to and without waiver of
5 the foregoing objections, Plaintiff will produce any responsive, non-privileged documents in his
6 possession, custody, or control, if any.

7 **REQUEST NO. 22**

8 All DOCUMENTS, including but not limited to newspaper articles, media reports, web
9 pages, social media posts, or blog posts that discuss, evidence, support, and/or otherwise relate to
10 the conduct challenged in YOUR COMPLAINT.

11 **RESPONSE TO REQUEST NO. 22**

12 Plaintiff incorporates and references herein all of the General Objections. Plaintiff objects
13 to this Request in that it is overbroad, duplicative, and unduly burdensome, and in that the
14 documents sought are either publicly available or already in Defendant's possession and control.
15 Plaintiff objects insofar as this Request seeks information that is protected by the marital
16 communications privilege. Subject to and without waiver of the foregoing objections, insofar as
17 this Request for Production seeks documents published prior to the filing of this lawsuit on
18 December 30, 2013, Plaintiff will produce any responsive, non-privileged documents in his
19 possession, custody, or control, if any.

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1 Dated: March 9, 2015

LIEFF CABRASER HEIMANN & BERNSTEIN, LLP

2
3 By: /s/ Michael W. Sobol
4 Michael W. Sobol

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Attorneys for Plaintiffs and the Proposed Class

1 **PROOF OF SERVICE**

2 I am a citizen of the United States and employed in San Francisco County, California. I
3 am over the age of eighteen years and not a party to the within-entitled action. My business
4 address is 275 Battery Street, 29th Floor, San Francisco, California 94111-3339.

5 I am readily familiar with Lieff, Cabraser, Heimann & Bernstein, LLP's practice for
6 collection and processing of documents for service via email, and that practice is that the
7 documents are attached to an email and sent to the recipient's email account.

8 I am also readily familiar with this firm's practice for collection and processing of
9 correspondence for mailing with the United States Postal Service. Following ordinary business
10 practices, the envelope was sealed and placed for collection and mailing on this date, and would,
11 in the ordinary course of business, be deposited with the United States Postal Service on this date.

12 On March 9, 2015, I caused to be served copies of the following documents:

- 13 **1. PLAINTIFF DAVID SHADPOUR'S OBJECTIONS**
14 **AND RESPONSES TO DEFENDANT FACEBOOK,**
15 **INC.'S FIRST SET OF REQUESTS FOR**
16 **PRODUCTION; and this**
- 17 **2. PROOF OF SERVICE BY EMAIL AND U.S. MAIL**

18 on the following counsel for Defendant Facebook, Inc.:

19 Christopher Chorba
20 Gibson, Dunn & Crutcher LLP
21 333 South Grand Avenue
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23 Email: cchorba@gibsondunn.com

24 Joshua Aaron Jessen
25 Gibson Dunn & Crutcher LLP
26 3161 Michelson Drive, Suite 1200
27 Irvine, CA 92612
28 Email: jjessen@gibsondunn.com

Executed on March 9, 2015, at San Francisco, California.

29 /s/ Melissa A. Gardner
30 Melissa A. Gardner