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17 *Attorneys for Plaintiffs and the Proposed Class*

18 UNITED STATES DISTRICT COURT
19 NORTHERN DISTRICT OF CALIFORNIA

21 MATTHEW CAMPBELL, MICHAEL
HURLEY, and DAVID SHADPOUR, on
22 behalf of themselves and all others
similarly situated,

23 Plaintiffs,

24 v.

25 FACEBOOK, INC.,

26 Defendant.

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Case No. C 13-05996 PJH

**DECLARATION OF MELISSA GARDNER
IN SUPPORT OF MOTION TO
WITHDRAW PUTATIVE CLASS
REPRESENTATIVE AND DISMISS
CLAIMS WITHOUT PREJUDICE**

Date: September 9, 2015
Time: 9:00 a.m.
Crtrm: 3, Third Floor
Judge: Honorable Phyllis J. Hamilton

1 I, Melissa Gardner, hereby declare:

2 1. I am a member in good standing of the California State Bar and an attorney in the
3 law firm Lieff, Cabraser, Heimann & Bernstein, LLP, counsel for the plaintiffs in the above-
4 captioned Action. I have personal knowledge of the facts set forth herein, and if called to testify
5 thereto, I could and would do so competently. I submit this declaration in support of the motion
6 to withdraw Plaintiff David Shadpour as a Named Plaintiff and putative Class representative and
7 dismiss his claims without prejudice.

8 2. Plaintiffs Matthew Campbell and Michael Hurley have responded to Facebook's
9 document requests by producing partially redacted copies of all of the non-privileged private
10 messages containing URLs stored in their password-protected Facebook accounts.

11 3. For Mr. Campbell, this required divulging nearly 200 pages of personal
12 correspondence.

13 4. In response to Facebook's Interrogatories, Plaintiffs Matthew Campbell and
14 Michael Hurley provided not only the names of the friends and acquaintances with whom they
15 had shared these private communications, but also links to those absent Class members'
16 Facebook profiles.

17 5. In July 2015, Facebook noticed the depositions of two individuals who had sent or
18 received messages from Mr. Campbell, and of two who had sent or received messages from Mr.
19 Hurley.

20 6. Three of those depositions are scheduled to take place in the first two weeks of
21 August.

22 I declare under penalty of perjury under the laws of the United States that the foregoing is
23 true and correct.

24 Executed this 3rd day of August, 2015, at San Francisco, California.

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Melissa Gardner