

EXHIBIT 2

1 Michael W. Sobol (State Bar No. 194857)
msobol@lchb.com
2 Melissa Gardner (State Bar No. 289096)
mgardner@lchb.com
3 LIEFF CABRASER HEIMANN & BERNSTEIN, LLP
275 Battery Street, 29th Floor
4 San Francisco, CA 94111-3339
Telephone: 415.956.1000
5 Facsimile: 415.956.1008

6 Rachel Geman
rgeman@lchb.com
7 Nicholas Diamand
ndiamand@lchb.com
8 LIEFF CABRASER HEIMANN & BERNSTEIN, LLP
250 Hudson Street, 8th Floor
9 New York, NY 10013-1413
Telephone: 212.355.9500
10 Facsimile: 212.355.9592

11 Hank Bates (State Bar No. 167688)
hbates@cbplaw.com
12 Allen Carney
acarney@cbplaw.com
13 David Slade
dslade@cbplaw.com
14 CARNEY BATES & PULLIAM, PLLC
11311 Arcade Drive
15 Little Rock, AR 72212
Telephone: 501.312.8500
16 Facsimile: 501.312.8505

17 *Attorneys 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.
27

Jeremy A. Lieberman
Lesley F. Portnoy
info@pomlaw.com
POMERANTZ, LLP
600 Third Avenue, 20th Floor
New York, New York 10016
Telephone: 212.661.1100
Facsimile: 212.661.8665

Patrick V. Dahlstrom
pdahlstrom@pomlaw.com
POMERANTZ, LLP
10 S. La Salle Street Suite 3505
Chicago, Illinois 60603
Telephone: 312.377.1181
Facsimile: 312.377.1184

Case No. C 13-5996 PJH

**PLAINTIFFS' FIRST SET OF REQUESTS
FOR PRODUCTION OF DOCUMENTS TO
DEFENDANT**

1 Pursuant to Rules 26 and 34 of the Federal Rules of Civil Procedure, the Plaintiffs request
2 that Defendant Facebook respond to the following requests for the production of Documents
3 (each, a “Request,” collectively the “Requests”) within thirty (30) days of service.

4 **DEFINITIONS**

- 5 (a) **“Action”** means the case captioned *Matthew Campbell and Michael Hurley v. Facebook,*
6 *Inc.*; Case No. C 13-5996 PJH (N. Dist. Cal.).
- 7 (b) **“Active Likes”** means any Likes that were generated by Facebook Users affirmatively
8 clicking on a Like button Social PlugIn.
- 9 (c) **“Architecture”** refers to each piece of Facebook infrastructure – including but not limited
10 to source code, software, applications, web crawlers, hardware, and networks – utilized to
11 implement or otherwise facilitate any of Your services.
- 12 (d) **“Communication”** means the conveyance (in the form of facts, ideas, thoughts, opinions,
13 data, inquiries or otherwise) of information and includes, without limitation,
14 correspondence, memoranda, reports, presentations, face-to-face conversations, telephone
15 conversations, text messages, instant messages, voice messages, negotiations, agreements,
16 inquiries, understandings, meetings, letters, notes, telegrams, mail, email, and postings of
17 any type.
- 18 (e) **“Complaint”** means the operative Complaint in this Action.
- 19 (f) **“Developer(s)”** means Third Parties who utilize the Facebook platform to either build
20 their own applications or to incorporate the Facebook platform into their own products
21 (e.g., incorporating Facebook’s Like Social PlugIn into a website).
- 22 (g) **“Document(s)”** means all materials within the full scope of Fed. R. Civ. P. 34 including
23 but not limited to: all writings and recordings, including the originals, drafts and all non-
24 identical copies, whether different from the original by reason of any notation made on
25 such copies or otherwise (including but without limitation to, email and attachments,
26 correspondence, memoranda, notes, diaries, statistics, letters, telegrams, minutes,
27 contracts, reports, studies, checks, statements, tags, labels, invoices, brochures,
28 periodicals, receipts, returns, summaries, pamphlets, books, interoffice and intra-office

1 Communications, instant messages, chats, offers, notations of any sort of conversations,
2 working papers, applications, permits, file wrappers, indices, telephone calls, meetings or
3 printouts, teletypes, telefax, invoices, worksheets, and all drafts, alterations, modifications,
4 changes and amendments of any of the foregoing), graphic or aural representations of any
5 kind (including without limitation, photographs, charts, microfiche, microfilm, videotape,
6 recordings, motion pictures, plans, drawings, surveys), and electronic, mechanical,
7 magnetic, optical or electric records or representations of any kind (including without
8 limitation, computer files and programs, tapes, cassettes, discs, recordings), including
9 Metadata.

10 (h) **“Electronic Media”** means any magnetic, optical, or other storage media device used to
11 record or access ESI including, without limitation, computer memory, hard disks, floppy
12 disks, flash memory devices, CDs, DVDs, Blu-ray disks, cloud storage (e.g., DropBox,
13 Box, OneDrive, and SharePoint), tablet computers (e.g., iPad, Kindle, Nook, and Samsung
14 Galaxy), cellular or smart phones (e.g., BlackBerry, iPhone, Samsung Galaxy), personal
15 digital assistants, magnetic tapes of all types or any other means for digital storage and/or
16 transmittal.

17 (i) **“ESI” or “Electronically Stored Information”** refers to information and Documents (as
18 defined within this section) within the full scope of Fed. R. Civ. P. 34 – with all Metadata
19 intact – created, manipulated, communicated, stored, and best utilized in digital form, and
20 requiring the use of Electronic Media to access. Such information includes emails, email
21 attachments, message boards, forums, support tickets, support articles, security alerts,
22 pop-ups, videos, discussion boards, data, charts, BETA results, error messages, bug
23 reports, source code, investigative reports, monitoring reports, comments, press releases,
24 drafts, models, templates, websites, instant messages, chats, and intercompany and intra-
25 company Communications.

26 (j) **“Facebook User(s)”** means Persons who have established a Facebook account.

27 (k) **“Facebook User Data Profile(s)”** means the group of data points, collected by You from
28 any source and assigned by You to specific Facebook Users, for purposes including but

1 not limited to “bundling characteristics” and determining the potential interests of
2 Facebook Users as described in Your Data Use Policy under the heading “How
3 Advertising and Sponsored Stories Work.”

- 4 (l) **“Identify,” with respect to Documents**, means to give, to the extent known, the (a) type
5 of Document; (b) general subject matter; (c) date of the Document; (d) author(s), (e)
6 addressee(s), and (f) recipient(s).
- 7 (m) **“Identify,” with respect to Persons**, means to give, to the extent known, the Person’s full
8 name, present or last known address, and when referring to a natural person, additionally,
9 the present or last known place of employment. Once a Person has been identified in
10 accordance with this subparagraph, only the name of that Person need be listed in
11 response to subsequent discovery requesting the identification of that Person.
- 12 (n) **“Including”** means “including but not limited to” and “including without limitation.”
- 13 (o) **“Metadata”** refers to structured information about an electronic file that is embedded in
14 the file, describing the characteristics, origins, usage and validity the electronic file.
- 15 (p) **“Meeting”** means the contemporaneous presence, whether in person or through any
16 means of communication, of any natural persons, whether or not such presence was by
17 chance or prearranged, and whether or not the meeting was formal or informal, or
18 occurred in connection with some other activity.
- 19 (q) **“Motion to Dismiss”** means Your motion to dismiss filed in this Action (Docket No. 29).
- 20 (r) **“Native Format”** refers to the original file format in which a particular Document or item
21 of ESI was created.
- 22 (s) **“Passive Likes”** means any Likes that were *not* generated by Facebook Users
23 affirmatively clicking on a Like button Social PlugIn, and were instead generated as a
24 result of Facebook scanning URLs contained within Private Message (*i.e.*, generated
25 through the behavior described in the Wall Street Journal article “How Private Are Your
26 Private Facebook Messages”).
- 27 (t) **“Person”** means any natural person or any business, legal or governmental entity or
28 association.

- 1 (u) **“Plaintiff”** and **“Plaintiffs”** refer to the named plaintiffs in this Action, and any reference
2 to “Plaintiff” or “Plaintiffs” shall be construed disjunctively or conjunctively as necessary
3 in order to bring within the scope of the request all responses which otherwise might be
4 construed to be outside its scope.
- 5 (v) **“Private Message(s)”** means the portion of Facebook’s service designed to transmit
6 private messages between users – as opposed to posts – and which process is engaged by,
7 *inter alia*, the “Message” button on users’ profile pages or via the Messenger app.
- 8 (w) **“Private Message Content”** means any data or metadata related to a Private Message that
9 could in any way apprise its possessor of any substance, meaning, or purport of the Private
10 Message.
- 11 (x) **“Private Message Transmission”** means the act or series of acts taken by Facebook
12 during the exchange of Private Messages between Facebook Users; beginning the moment
13 a Facebook User initiates the process of composing a Private Message to at least one
14 recipient Facebook User, and ending once the recipient(s) view(s) the Private Message.
15 Such act or acts include routing, delivery, processing, scanning, anti-virus and spam
16 filtration, writing of the Private Message to any server, analysis, content extraction,
17 generation of data, and generation of metadata.
- 18 (y) **“Process”** refers to a series of discrete steps, ordered and undertaken to achieve a specific
19 goal or set of goals that facilitate Facebook’s operation.
- 20 (z) **“Relate(s) o,” “Related to”** or **“Relating to”** shall be construed to mean referring to,
21 reflecting, concerning, pertaining to or in any manner being connected with the matter
22 discussed.
- 23 (aa) **“Targeted Advertising”** means advertising purchased by Third Parties, to be delivered
24 by You to Facebook Users based upon inferences drawn from data points within Facebook
25 Users’ Data Profiles (*e.g.*, “location,” “demographics,” “interests,” and “behaviors,” as
26 described on Your website on the page titled “How to target Facebook Ads;
27 <https://www.facebook.com/business/a/online-sales/ad-targeting-details>).
- 28 (bb) **“Third Party”** refers to any party other than You or Plaintiffs.

1 (cc) **“Transmission,” “Transmit,”** and **“Transmitting”** refer to any intentional act by one
2 party which results in the possession, by at least one other party, of a Document or item of
3 ESI. Such acts include but are not limited to mailing (via the U.S. Post Office or other
4 Third Party carriers such as FedEx or UPS), faxing, emailing, hand-delivering, and
5 causing to be delivered via courier service any Document and/or, where applicable, item
6 of ESI.

7 (dd) **“You,” “Your,”** and **“Facebook”** shall mean Facebook, Inc. and any of its directors,
8 officers, employees, partners, members, representatives, agents (including attorneys,
9 accountants, consultants, investment advisors or bankers), and any other person purporting
10 to act on its behalf. In the case of business entities, these defined terms include parents,
11 subsidiaries, affiliates, predecessor entities, successor entities, divisions, departments,
12 groups, acquired entities and/or related entities or any other entity acting or purporting to
13 act on its behalf.

14 **RULES OF CONSTRUCTION**

15 1. The connectives “and” and “or” shall be construed either disjunctively or
16 conjunctively as necessary to bring within the scope of the discovery request all responses that
17 might otherwise be construed to be outside of its scope.

18 2. “Any,” “all,” and “each” shall be construed as any, all and each.

19 3. The singular form of a noun or pronoun includes the plural form and vice versa.

20 4. The use of any tense of any verb shall also include within its meaning all other
21 tenses of that verb.

22 5. A term or word defined herein is meant to include both the lower and upper case
23 reference to such term or word.

24 6. Any headings which appear in the Requests for Production section have been
25 inserted for the purpose of convenience and ready reference. They do not purport to, and are not
26 intended to, define, limit, or extend the scope or intent of the Requests to which they pertain.

INSTRUCTIONS

1
2 1. You are requested to produce all Documents and ESI in Your possession, custody,
3 or control – as well as Documents and ESI that are in the possession of Your partners, officers,
4 employees, attorneys, accountants, representatives, or agents, or that are otherwise subject to
5 Your custody or control – that are described below.

6 2. Unless otherwise indicated, the Documents and ESI to be produced include all
7 Documents and ESI prepared, sent, dated or received, or those that otherwise came into existence
8 any time during the Relevant Time Period.

9 3. The production by one person, party, or entity of a Document or item of ESI does
10 not relieve another person, party, or entity from the obligation to produce his, her, or its own copy
11 of that Document or ESI, even if the two are identical.

12 4. In producing Documents and ESI, You are requested to produce a copy of each
13 original Document and ESI together with a copy of all non-identical copies and drafts of that
14 Document. If the original of any Document and ESI cannot be located, a copy shall be provided
15 in lieu thereof, and shall be legible and bound or stapled in the same manner as the original.

16 5. Documents and ESI shall be produced as they are kept in the usual course of
17 business. All Documents and ESI shall be produced with a copy of the file folder, envelope, or
18 other container in which the Documents and ESI are kept or maintained. All Documents and ESI
19 shall be produced intact in their original files, without disturbing the organization of Documents
20 and ESI employed during the conduct of the ordinary course of business and during the
21 subsequent maintenance of the Documents and ESI.

22 6. Documents and ESI not otherwise responsive to this discovery request shall be
23 produced if such Documents and ESI mention, discuss, refer to, or explain the Documents and
24 ESI which are called for by this discovery request, or if such Documents and ESI are attached to
25 Documents and ESI called for by this discovery request and constitute routing slips, transmittal
26 memoranda, or letters, comments, evaluations or similar materials.

27 7. Each Document and item of ESI requested herein is requested to be produced in its
28 entirety and without deletion or excisions, regardless of whether You consider the entire

1 Document or item of ESI to be relevant or responsive to this request. If You have redacted any
2 portion of a Document or item of ESI, stamp the word “redacted” on each page of the Document
3 or item of ESI that You have redacted.

4 8. If any Document or item of ESI called for by these requests is not produced in full
5 or is redacted on the ground that it is privileged or otherwise claimed to be protected against
6 production, You are requested to provide the following information with respect to each such
7 Document or item of ESI or redaction:

8 (a) its date;

9 (b) its author(s), its signatory(s) and each and every other person who prepared
10 or participated in its preparation;

11 (c) the type of Document or item of ESI it is (e.g., letter, chart, memorandum,
12 etc.);

13 (d) a description of its subject matter and length;

14 (e) a list of those persons and entities to whom said Document(s) or item of
15 ESI was disseminated, together with their last known addresses and the date or approximate date
16 on which each such person or entity received it;

17 (f) a list of all other persons to whom the contents of the Document or item of
18 ESI have been disclosed, the date such disclosure took place, the means of such disclosure, and
19 the present location of the Document or item of ESI and all copies thereof;

20 (g) each and every person having custody or control of the Document or item
21 of ESI and all copies thereof; and

22 (h) the nature of the privilege or other rule of law relied upon and any facts
23 supporting Your position in withholding production of each such Document or item of ESI.

24 9. If You assert an objection to any request, You must nonetheless respond and
25 produce any responsive Documents and ESI that are not subject to the stated objection. If You
26 object to part of a request or category, You must specify the portion of the request to which You
27 object, and must produce Documents and ESI responsive to the remaining parts of the request.
28

1 10. Notwithstanding a claim that a Document or item of ESI is protected from
2 disclosure, any Document or item of ESI so withheld must be produced with the portion claimed
3 to be protected redacted.

4 11. If any Document or ESI is known to have existed but no longer exists, has been
5 destroyed, or is otherwise available, You must identify the Document or ESI, the reason for its
6 loss, destruction or unavailability, the name of each person known or reasonably believed by You
7 to have present possession, custody, or control of the original and any copy thereof (if
8 applicable), and a description of the disposition of each copy of the Document or ESI.

9 12. Every Request for Production herein shall be deemed a continuing discovery
10 request, and You are to supplement information which adds to or is in any way inconsistent with
11 Your initial answers to these Requests.

12 13. Plaintiffs reserve the right to propound additional discovery requests.

13 **RELEVANT TIME PERIOD**

14 The relevant time period for each Document Request is for September 26, 2006 through
15 the present (the "Relevant Time Period"), unless otherwise specifically indicated, and shall
16 include all Documents, ESI, and any other information that relate to such period, even though
17 prepared or published outside of the relevant time period. If a Document or item of ESI prepared
18 before this period is necessary for a correct or complete understanding of any Document or item
19 of ESI covered by a request, You must produce the earlier or subsequent Document or item of
20 ESI as well. If any Document or item of ESI is undated and the date of its preparation cannot be
21 determined, the Document or item of ESI shall be produced if otherwise responsive to the
22 production request.

23 **REQUESTS FOR PRODUCTION OF DOCUMENTS**

24 **A. Requests Related to Facebook's Corporate Organizational Structure and** 25 **Individuals Who May Possess Relevant Information**

26 **REQUEST FOR PRODUCTION NO. 1:**

27 All Documents and ESI showing Facebook's organizational structure that identify all
28 current or former Persons at Facebook (including directors, officers, employees, or contractors)

1 who may possess knowledge relevant to this Action.

2 **REQUEST FOR PRODUCTION NO. 2:**

3 Documents and ESI sufficient to identify all databases, networks, or any other repositories
4 of information under Your control that may contain Documents and ESI relevant to this Action.

5 **REQUEST FOR PRODUCTION NO. 3:**

6 Documents and ESI sufficient to identify all methods and media utilized by Your
7 employees for inter-office (internal) Communication in the course of their work, including but not
8 limited to inter-office mail (electronic and physical), reports (electronic and physical), chats, and
9 video chats, as well as how and where such Communications are stored.

10 **B. Requests Related to Private Message Transmission and the Like Social PlugIn**

11 **REQUEST FOR PRODUCTION NO. 4:**

12 All Documents and ESI sufficient to identify each Process and/or piece of Architecture
13 involved in Private Message Transmission.

14 **REQUEST FOR PRODUCTION NO. 5:**

15 All Documents and ESI related to each Process and/or piece of Architecture involved in
16 the scanning of Private Message Content for purposes of creating, augmenting, or otherwise
17 maintaining Facebook User Data Profiles.

18 **REQUEST FOR PRODUCTION NO. 6:**

19 All Documents and ESI related to each Process and/or piece of Architecture involved in
20 the acquisition of data, metadata, or other content from Private Messages, for purposes of
21 creating, augmenting, or otherwise maintaining Facebook User Data Profiles.

22 **REQUEST FOR PRODUCTION NO. 7:**

23 All Documents and ESI sufficient to identify each Process and/or piece of Architecture
24 involved in spam filtering.

25 **REQUEST FOR PRODUCTION NO. 8:**

26 All Documents and ESI sufficient to identify each Process and/or piece of Architecture
27 involved in malware filtering.

1 **REQUEST FOR PRODUCTION NO. 9:**

2 All Documents and ESI sufficient to identify each Process and/or piece of Architecture
3 involved in generating thumbnail/URL previews.

4 **REQUEST FOR PRODUCTION NO. 10:**

5 All Documents and ESI sufficient to identify each Process and/or piece of Architecture
6 involved in storing Private Messages for Facebook Users' future review, or for any other purpose.

7 **REQUEST FOR PRODUCTION NO. 11:**

8 All Documents and ESI sufficient to identify each Process and/or piece of Architecture
9 involved in "protect[ing] users, the product, and the site from threats and abusive behavior," as
10 described on page 11 of Your Motion to Dismiss.

11 **REQUEST FOR PRODUCTION NO. 12:**

12 All Documents and ESI sufficient to identify each Process and/or piece of Architecture
13 related to the Like Social PlugIn.

14 **REQUEST FOR PRODUCTION NO. 13:**

15 All Documents and ESI relating to each Process and/or piece of Architecture involved in
16 generating Passive Likes, including all Documents and ESI related to Your cessation of the
17 practice of generating Passive Likes.

18 **REQUEST FOR PRODUCTION NO. 14:**

19 All Documents and ESI relating to the "bug...where at times the count for the Share or
20 Like goes up by two," identified by You in Your statement quoted in the Wall Street Journal
21 Article titled "How Private Are Your Private Facebook Messages?" and published in
22 October, 2012.

23 **REQUEST FOR PRODUCTION NO. 15:**

24 All Documents and ESI sufficient to identify each Process and/or piece of Architecture
25 involved in generating Active Likes.

26 **REQUEST FOR PRODUCTION NO. 16:**

27 All Documents and ESI relating to how Third Parties acquire information related to
28 Facebook Users from the Like Social PlugIn, including information acquired by Third Parties

1 when a Facebook User engages the Like Social PlugIn either via Passive Likes or Active Likes.

2 **REQUEST FOR PRODUCTION NO. 17:**

3 All Documents and ESI relating to how Third Parties can use information related to
4 Facebook Users from the Like Social PlugIn, including Social Graph searches of data acquired
5 through Passive Likes or Active Likes.

6 C. **Requests Related to How Facebook User Data Profiles Are Created,**
7 **Augmented, and Maintained**

8 **REQUEST FOR PRODUCTION NO. 18:**

9 All Documents and ESI sufficient to identify each Process and/or piece of Architecture
10 involved in the creation, augmentation, or maintenance of Facebook User Data Profiles.

11 **REQUEST FOR PRODUCTION NO. 19:**

12 All Documents and ESI relating to how You use any Private Message Content, including
13 for purposes related to Facebook User Profiles and/or Targeted Advertising.

14 **REQUEST FOR PRODUCTION NO. 20:**

15 All Documents and ESI relating to the extent to which You allow Third Parties any access
16 to any Private Message Content.

17 **REQUEST FOR PRODUCTION NO. 21:**

18 All Documents and ESI relating to the use of Passive Likes – or any data, metadata, or
19 other information generated therefrom – as data points in Facebook User Data Profiles.

20 **REQUEST FOR PRODUCTION NO. 22:**

21 All Documents and ESI relating to the use of Passive Likes – or any data, metadata, or
22 other information generated therefrom – for purposes related to Targeted Advertising.

23 **REQUEST FOR PRODUCTION NO. 23:**

24 All Documents and ESI relating to the use of Active Likes – or any data, metadata, or
25 other information generated therefrom – as data points in Facebook User Data Profiles.

26 **REQUEST FOR PRODUCTION NO. 24:**

27 All Documents and ESI relating to the use of Active Likes – or any data, metadata, or
28 other information generated therefrom – for purposes related to Targeted Advertising.

1 **D. Requests Related to How Facebook Obtains Consent**

2 **REQUEST FOR PRODUCTION NO. 25:**

3 All Documents and ESI used by You to establish Facebook Users’ express consent to the
4 practices forming the basis for Plaintiffs’ Complaint.

5 **REQUEST FOR PRODUCTION NO. 26:**

6 All Documents and ESI supporting the position advanced in pages 18-19 of Your Motion
7 to Dismiss that Facebook Users impliedly consent to the practices forming the basis for Plaintiffs’
8 Complaint.

9 **E. Requests Related to Law Enforcement Investigations, Media Investigations,
10 and Complaints Involving Privacy Issues**

11 **REQUEST FOR PRODUCTION NO. 27:**

12 All Documents and ESI related to investigations of Facebook by any governmental
13 agency (in the United States or otherwise), regulatory agency, law enforcement agency, or
14 advisory council relating to user privacy issues, including investigations by United States Federal
15 Trade Commission and the Office of the Irish Data Protection Commissioner.

16 **REQUEST FOR PRODUCTION NO. 28:**

17 All Documents and ESI related to FTC MATTER/FILE NUMBER: 092 3184, *In the*
18 *Matter of Facebook, Inc., a corporation*, including all Documents and ESI related to
19 implementation of the business practice changes mandated by the FTC in its July 27, 2012
20 Decision and Order (“FTC Order”), and including all Documents and ESI related to the Third
21 Party, biennial assessments and reports identified on pages 6 and 7 of the FTC Order.

22 **REQUEST FOR PRODUCTION NO. 29:**

23 All Documents and ESI related to – and sufficient to identify – the “dedicated team of
24 privacy professionals” identified on page 8 of Your Form 10-K for fiscal year ending
25 December 31, 2013, including any involvement such Persons had in matters related to (1)
26 obtaining consent of Facebook Users for Your practices implicating privacy and data use; (2)
27 Private Messages; and (3) the acts and practices described in the Complaint.

28

1 **REQUEST FOR PRODUCTION NO. 30:**

2 All Documents and ESI related to all audits of Facebook conducted by the Office of the
3 Irish Data Protection Commissioner.

4 **REQUEST FOR PRODUCTION NO. 31:**

5 All Documents and ESI related to Third Parties discussing Passive Likes, including the
6 Wall Street Journal article “How Private Are Your Private Facebook Messages,” the Digital
7 Trends article “Facebook Scans Private Messages for Brand Page Mentions, Admits a Bug is
8 Boosting Likes,” and the Hacker News post “Facebook Graph API exploit that let’s [sic] you
9 pump up to 1800 ‘Likes’ in an hour.”

10 F. **Miscellaneous Requests**

11 **REQUEST FOR PRODUCTION NO. 32:**

12 All Documents and ESI that You contend evidence or substantiate Your defenses in this
13 Action.

14 **REQUEST FOR PRODUCTION NO. 33:**

15 All Documents and ESI related to Your policies, practices, or procedures, if any,
16 regarding the retention or destruction of Documents and files, including emails, email backup or
17 archive tapes, hard drives, and corporate storage, including, without limitation, any changes or
18 modifications in such policies or practices during the Relevant Time Period.

19 **REQUEST FOR PRODUCTION NO. 34:**

20 All insurance policies, including any declaration pages and riders, which could be used to
21 satisfy any claim in this action.

22 **REQUEST FOR PRODUCTION NO. 35:**

23 A plain-English description or glossary for any and all lists, legends, codes, abbreviations,
24 collector initials, or other non-obvious terms, words, or data contained in any of the Documents
25 or ESI produced in response to any of these Requests for Production, and to the extent applicable,
26 with any of the Interrogatories served herewith.

27 **REQUEST FOR PRODUCTION NO. 36:**

28 For any source code related to any of these Requests, Documents and ESI sufficient to

1 identify all code repositories for such source code.

2 **REQUEST FOR PRODUCTION NO. 37:**

3 For any source code related to any of these Requests, check in/check out histories –
4 including timestamps, version numbers, and usernames – for such source code.

5 **REQUEST FOR PRODUCTION NO. 38:**

6 All Documents and ESI related to any Facebook User complaints related to the practices
7 alleged in Plaintiffs’ Complaint, as well as all responses from Facebook thereto.

8 **REQUEST FOR PRODUCTION NO. 39:**

9 All Documents and ESI related to Your representations to Third Parties regarding the use
10 of Active and Passive Likes in marketing and/or Targeted Advertising, including but not limited
11 to form contracts, marketing materials, and internal memoranda describing the purported benefits
12 of Active and Passive Likes to Third Parties.

13 **REQUEST FOR PRODUCTION NO. 40:**

14 All Documents and ESI related to each Plaintiff.

15
16
17
18
19
20
21
22
23
24
25
26
27
28

1 Dated: January 26, 2015

Respectfully submitted,

2 LIEFF CABRASER HEIMANN & BERNSTEIN, LLP

3
4 By: /s/ Michael W. Sobol

5 Michael W. Sobol (State Bar No. 194857)
msobol@lchb.com
6 Melissa Gardner (State Bar No. 289096)
mgardner@lchb.com
7 LIEFF CABRASER HEIMANN & BERNSTEIN, LLP
275 Battery Street, 29th Floor
8 San Francisco, CA 94111-3339
Telephone: 415.956.1000
9 Facsimile: 415.956.1008

10 Rachel Geman
rgeman@lchb.com
11 Nicholas Diamand
ndiamand@lchb.com
12 LIEFF CABRASER HEIMANN & BERNSTEIN, LLP
250 Hudson Street, 8th Floor
13 New York, NY 10013-1413
Telephone: 212.355.9500
14 Facsimile: 212.355.9592

15 Hank Bates (State Bar No. 167688)
hbates@cbplaw.com
16 Allen Carney
acarney@cbplaw.com
17 David Slade
dslade@cbplaw.com
18 CARNEY BATES & PULLIAM, PLLC
11311 Arcade Drive
19 Little Rock, AR 72212
Telephone: 501.312.8500
20 Facsimile: 501.312.8505

21 *Attorneys for Plaintiffs and the Proposed Class*

1 Michael W. Sobol (State Bar No. 194857)
msobol@lchb.com
2 Melissa Gardner (State Bar No. 289096)
mgardner@lchb.com
3 LIEFF CABRASER HEIMANN & BERNSTEIN, LLP
275 Battery Street, 29th Floor
4 San Francisco, CA 94111-3339
Telephone: 415.956.1000
5 Facsimile: 415.956.1008

6 Rachel Geman
rgeman@lchb.com
7 Nicholas Diamand
ndiamand@lchb.com
8 LIEFF CABRASER HEIMANN & BERNSTEIN, LLP
250 Hudson Street, 8th Floor
9 New York, NY 10013-1413
Telephone: 212.355.9500
10 Facsimile: 212.355.9592

11 Hank Bates (State Bar No. 167688)
hbates@cbplaw.com
12 Allen Carney
acarney@cbplaw.com
13 David Slade
dslade@cbplaw.com
14 CARNEY BATES & PULLIAM, PLLC
11311 Arcade Drive
15 Little Rock, AR 72212
Telephone: 501.312.8500
16 Facsimile: 501.312.8505

17 *Attorneys 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.
27

Jeremy A. Lieberman
Lesley F. Portnoy
info@pomlaw.com
POMERANTZ, LLP
600 Third Avenue, 20th Floor
New York, New York 10016
Telephone: 212.661.1100
Facsimile: 212.661.8665

Patrick V. Dahlstrom
pdahlstrom@pomlaw.com
POMERANTZ, LLP
10 S. La Salle Street Suite 3505
Chicago, Illinois 60603
Telephone: 312.377.1181
Facsimile: 312.377.1184

Case No. C 13-5996 PJH

**PROOF OF SERVICE BY EMAIL AND
U.S. MAIL**

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

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

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

11 On January 26, 2015, I caused to be served copies of the following documents:

12 **1. PLAINTIFFS' FIRST SET OF REQUESTS FOR**
13 **PRODUCTION OF DOCUMENTS TO DEFENDANT; and**
14 **this**

15 **2. PROOF OF SERVICE BY EMAIL AND U.S. MAIL**

16 on the following parties in this action through their respective counsel:

17 Christopher Chorba
18 Gibson, Dunn & Crutcher LLP
19 333 South Grand Avenue
20 Los Angeles, CA 90071-3197
21 Email: cchorba@gibsondunn.com

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

27 Executed on January 26, 2015, at San Francisco, California.

28 */s/ David T. Rudolph*

David T. Rudolph

1 Michael W. Sobol (State Bar No. 194857)
msobol@lchb.com
2 Melissa Gardner (State Bar No. 289096)
mgardner@lchb.com
3 LIEFF CABRASER HEIMANN & BERNSTEIN, LLP
275 Battery Street, 29th Floor
4 San Francisco, CA 94111-3339
Telephone: 415.956.1000
5 Facsimile: 415.956.1008

6 Rachel Geman
rgeman@lchb.com
7 Nicholas Diamand
ndiamand@lchb.com
8 LIEFF CABRASER HEIMANN & BERNSTEIN, LLP
250 Hudson Street, 8th Floor
9 New York, NY 10013-1413
Telephone: 212.355.9500
10 Facsimile: 212.355.9592

11 Hank Bates (State Bar No. 167688)
hbates@cbplaw.com
12 Allen Carney
acarney@cbplaw.com
13 David Slade
dslade@cbplaw.com
14 CARNEY BATES & PULLIAM, PLLC
11311 Arcade Drive
15 Little Rock, AR 72212
Telephone: 501.312.8500
16 Facsimile: 501.312.8505

17 *Attorneys 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.
27

Jeremy A. Lieberman
Lesley F. Portnoy
info@pomlaw.com
POMERANTZ, LLP
600 Third Avenue, 20th Floor
New York, New York 10016
Telephone: 212.661.1100
Facsimile: 212.661.8665

Patrick V. Dahlstrom
pdahlstrom@pomlaw.com
POMERANTZ, LLP
10 S. La Salle Street Suite 3505
Chicago, Illinois 60603
Telephone: 312.377.1181
Facsimile: 312.377.1184

Case No. C 13-5996 PJH

**PLAINTIFFS' FIRST SET OF
INTERROGATORIES TO DEFENDANT**

1 Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure, the Plaintiffs request
2 that Defendant Facebook respond to the following Interrogatories (each, an “Interrogatory,”
3 collectively the “Interrogatories”) within thirty (30) days of service.

4 **DEFINITIONS**

- 5 (a) **“Action”** means the case captioned *Matthew Campbell and Michael Hurley v. Facebook,*
6 *Inc.*; Case No. C 13-5996 PJH (N. Dist. Cal.).
- 7 (b) **“Active Likes”** means any Likes that were generated by Facebook Users affirmatively
8 clicking on a Like button Social PlugIn.
- 9 (c) **“Architecture”** refers to each piece of Facebook infrastructure – including but not limited
10 to source code, software, applications, web crawlers, hardware, and networks – utilized to
11 implement or otherwise facilitate any of Your services.
- 12 (d) **“Communication”** means the conveyance (in the form of facts, ideas, thoughts, opinions,
13 data, inquiries or otherwise) of information and includes, without limitation,
14 correspondence, memoranda, reports, presentations, face-to-face conversations, telephone
15 conversations, text messages, instant messages, voice messages, negotiations, agreements,
16 inquiries, understandings, meetings, letters, notes, telegrams, mail, email, and postings of
17 any type.
- 18 (e) **“Complaint”** means the operative Complaint in this Action.
- 19 (f) **“Developer(s)”** means Third Parties who utilize the Facebook platform to either build
20 their own applications or to incorporate the Facebook platform into their own products
21 (e.g., incorporating Facebook's Like Social PlugIn into a website).
- 22 (g) **“Document(s)”** means all materials within the full scope of Fed. R. Civ. P. 34 including
23 but not limited to: all writings and recordings, including the originals, drafts and all non-
24 identical copies, whether different from the original by reason of any notation made on
25 such copies or otherwise (including but without limitation to, email and attachments,
26 correspondence, memoranda, notes, diaries, statistics, letters, telegrams, minutes,
27 contracts, reports, studies, checks, statements, tags, labels, invoices, brochures,
28 periodicals, receipts, returns, summaries, pamphlets, books, interoffice and intra-office

1 Communications, instant messages, chats, offers, notations of any sort of conversations,
2 working papers, applications, permits, file wrappers, indices, telephone calls, meetings or
3 printouts, teletypes, telefax, invoices, worksheets, and all drafts, alterations, modifications,
4 changes and amendments of any of the foregoing), graphic or aural representations of any
5 kind (including without limitation, photographs, charts, microfiche, microfilm, videotape,
6 recordings, motion pictures, plans, drawings, surveys), and electronic, mechanical,
7 magnetic, optical or electric records or representations of any kind (including without
8 limitation, computer files and programs, tapes, cassettes, discs, recordings), including
9 Metadata.

10 (h) **“Electronic Media”** means any magnetic, optical, or other storage media device used to
11 record or access ESI including, without limitation, computer memory, hard disks, floppy
12 disks, flash memory devices, CDs, DVDs, Blu-ray disks, cloud storage (e.g., DropBox,
13 Box, OneDrive, and SharePoint), tablet computers (e.g., iPad, Kindle, Nook, and Samsung
14 Galaxy), cellular or smart phones (e.g., BlackBerry, iPhone, Samsung Galaxy), personal
15 digital assistants, magnetic tapes of all types or any other means for digital storage and/or
16 transmittal.

17 (i) **“ESI” or “Electronically Stored Information”** refers to information and Documents (as
18 defined within this section) within the full scope of Fed. R. Civ. P. 34 – with all Metadata
19 intact – created, manipulated, communicated, stored, and best utilized in digital form, and
20 requiring the use of Electronic Media to access. Such information includes emails, email
21 attachments, message boards, forums, support tickets, support articles, security alerts,
22 pop-ups, videos, discussion boards, data, charts, BETA results, error messages, bug
23 reports, source code, investigative reports, monitoring reports, comments, press releases,
24 drafts, models, templates, websites, instant messages, chats, and intercompany and intra-
25 company Communications.

26 (j) **“Facebook User(s)”** means Persons who have established a Facebook account.

27 (k) **“Facebook User Data Profile(s)”** means the group of data points, collected by You from
28 any source and assigned by You to specific Facebook Users, for purposes including but

1 not limited to “bundling characteristics” and determining the potential interests of
2 Facebook Users as described in Your Data Use Policy under the heading “How
3 Advertising and Sponsored Stories Work.”

- 4 (l) **“Identify,” with respect to Documents**, means to give, to the extent known, the (a) type
5 of Document; (b) general subject matter; (c) date of the Document; (d) author(s), (e)
6 addressee(s), and (f) recipient(s).
- 7 (m) **“Identify,” with respect to Persons**, means to give, to the extent known, the Person’s full
8 name, present or last known address, and when referring to a natural person, additionally,
9 the present or last known place of employment. Once a Person has been identified in
10 accordance with this subparagraph, only the name of that Person need be listed in
11 response to subsequent discovery requesting the identification of that Person.
- 12 (n) **“Including”** means “including but not limited to” and “including without limitation.”
- 13 (o) **“Metadata”** refers to structured information about an electronic file that is embedded in
14 the file, describing the characteristics, origins, usage and validity the electronic file.
- 15 (p) **“Meeting”** means the contemporaneous presence, whether in person or through any
16 means of communication, of any natural persons, whether or not such presence was by
17 chance or prearranged, and whether or not the meeting was formal or informal, or
18 occurred in connection with some other activity.
- 19 (q) **“Motion to Dismiss”** means Your motion to dismiss filed in this Action (Docket No. 29).
- 20 (r) **“Native Format”** refers to the original file format in which a particular Document or item
21 of ESI was created.
- 22 (s) **“Passive Likes”** means any Likes that were *not* generated by Facebook Users
23 affirmatively clicking on a Like button Social PlugIn, and were instead generated as a
24 result of Facebook scanning URLs contained within Private Message (*i.e.*, generated
25 through the behavior described in the Wall Street Journal article “How Private Are Your
26 Private Facebook Messages”).
- 27 (t) **“Person”** means any natural person or any business, legal or governmental entity or
28 association.

- 1 (u) **“Plaintiff”** and **“Plaintiffs”** refer to the named plaintiffs in this Action, and any reference
2 to “Plaintiff” or “Plaintiffs” shall be construed disjunctively or conjunctively as necessary
3 in order to bring within the scope of the request all responses which otherwise might be
4 construed to be outside its scope.
- 5 (v) **“Private Message(s)”** means the portion of Facebook’s service designed to transmit
6 private messages between users – as opposed to posts – and which process is engaged by,
7 *inter alia*, the “Message” button on users’ profile pages or via the Messenger app.
- 8 (w) **“Private Message Content”** means any data or metadata related to a Private Message that
9 could in any way apprise its possessor of any substance, meaning, or purport of the Private
10 Message.
- 11 (x) **“Private Message Transmission”** means the act or series of acts taken by Facebook
12 during the exchange of Private Messages between Facebook Users; beginning the moment
13 a Facebook User initiates the process of composing a Private Message to at least one
14 recipient Facebook User, and ending once the recipient(s) view(s) the Private Message.
15 Such act or acts include routing, delivery, processing, scanning, anti-virus and spam
16 filtration, writing of the Private Message to any server, analysis, content extraction,
17 generation of data, and generation of metadata.
- 18 (y) **“Process”** refers to a series of discrete steps, ordered and undertaken to achieve a specific
19 goal or set of goals that facilitate Facebook’s operation.
- 20 (z) **“Relate(s) o,” “Related to”** or **“Relating to”** shall be construed to mean referring to,
21 reflecting, concerning, pertaining to or in any manner being connected with the matter
22 discussed.
- 23 (aa) **“Targeted Advertising”** means advertising purchased by Third Parties, to be delivered
24 by You to Facebook Users based upon inferences drawn from data points within Facebook
25 Users’ Data Profiles (*e.g.*, “location,” “demographics,” “interests,” and “behaviors,” as
26 described on Your website on the page titled “How to target Facebook Ads;
27 <https://www.facebook.com/business/a/online-sales/ad-targeting-details>).
- 28 (bb) **“Third Party”** refers to any party other than You or Plaintiffs.

1 (cc) **“Transmission,” “Transmit,”** and **“Transmitting”** refer to any intentional act by one
2 party which results in the possession, by at least one other party, of a Document or item of
3 ESI. Such acts include but are not limited to mailing (via the U.S. Post Office or other
4 Third Party carriers such as FedEx or UPS), faxing, emailing, hand-delivering, and
5 causing to be delivered via courier service any Document and/or, where applicable, item
6 of ESI.

7 (dd) **“You,” “Your,”** and **“Facebook”** shall mean Facebook, Inc. and any of its directors,
8 officers, employees, partners, members, representatives, agents (including attorneys,
9 accountants, consultants, investment advisors or bankers), and any other person purporting
10 to act on its behalf. In the case of business entities, these defined terms include parents,
11 subsidiaries, affiliates, predecessor entities, successor entities, divisions, departments,
12 groups, acquired entities and/or related entities or any other entity acting or purporting to
13 act on its behalf.

14 **RULES OF CONSTRUCTION**

15 1. The connectives “and” and “or” shall be construed either disjunctively or
16 conjunctively as necessary to bring within the scope of the discovery request all responses that
17 might otherwise be construed to be outside of its scope.

18 2. “Any,” “all,” and “each” shall be construed as any, all and each.

19 3. The singular form of a noun or pronoun includes the plural form and vice versa.

20 4. The use of any tense of any verb shall also include within its meaning all other
21 tenses of that verb.

22 5. A term or word defined herein is meant to include both the lower and upper case
23 reference to such term or word.

24 6. Any headings which appear in the Interrogatories section have been inserted for
25 the purpose of convenience and ready reference. They do not purport to, and are not intended to,
26 define, limit, or extend the scope or intent of the Interrogatories to which they pertain.

INSTRUCTIONS

1
2 1. You are requested to identify all Documents and ESI in Your possession, custody,
3 or control – as well as Documents and ESI that are in the possession of Your partners, officers,
4 employees, attorneys, accountants, representatives, or agents, or that are otherwise subject to
5 Your custody or control – that are described below.

6 2. Unless otherwise indicated, the Documents and ESI to be identified include
7 anything prepared, sent, dated or received, or those that otherwise came into existence during the
8 Relevant Time Period.

9 3. The identification by one person, party, or entity of a Document or ESI does not
10 relieve another person, party, or entity from the obligation to identify his, her, or its own copy of
11 that Document or ESI, even if the two are identical.

12 4. In identifying Documents and ESI, You are requested to identify a copy of each
13 original Document or item of ESI together with a copy of all non-identical copies and drafts of
14 same.

15 5. Documents and ESI shall be identified as they are kept in the usual course of
16 business. All Documents and ESI shall be identified with a copy of the file folder, envelope, or
17 other container in which they are kept or maintained.

18 6. Documents and ESI not otherwise responsive to this discovery request shall
19 nonetheless be identified if such Documents and ESI mention, discuss, refer to, or explain the
20 Documents and ESI which are called for by this discovery request, or if such Documents and ESI
21 are attached to Documents and ESI called for by this discovery request and constitute routing
22 slips, transmittal memoranda, or letters, comments, evaluations or similar materials.

23 7. Each Document and item of ESI requested herein is requested to be identified in
24 its entirety and without deletion or excisions, regardless of whether You consider the entire
25 Document or item of ESI to be relevant or responsive to this request.

26 8. If any Document or ESI called for by these requests is not identified in full on the
27 ground that it is privileged or otherwise claimed to be protected against production, You are
28 requested to provide the following information with respect to each such Document or ESI:

- 1 (a) its date;
- 2 (b) its author(s), its signatory(s) and each and every other person who prepared
3 or participated in its preparation;
- 4 (c) the type of Document or ESI it is (e.g., letter, chart, memorandum, etc.);
- 5 (d) a description of its subject matter and length;
- 6 (e) a list of those persons and entities to whom said Document(s) or ESI was
7 disseminated, together with their last known addresses and the date or approximate date on which
8 each such person or entity received it;
- 9 (f) a list of all other persons to whom the contents of the Document or ESI
10 have been disclosed, the date such disclosure took place, the means of such disclosure, and the
11 present location of the Document or ESI and all copies thereof;
- 12 (g) each and every person having custody or control of the Document or ESI
13 and all copies thereof; and
- 14 (h) the nature of the privilege or other rule of law relied upon and any facts
15 supporting Your position in withholding identification of each such Document or ESI.

16 9. If You assert an objection to any request, You must nonetheless respond and
17 identify any responsive Documents and ESI that are not subject to the stated objection. If You
18 object to part of a request or category, You must specify the portion of the request to which You
19 object, and must produce Documents and ESI responsive to the remaining parts of the request.

20 10. Notwithstanding a claim that a Document or ESI is protected from disclosure, any
21 Document or ESI so withheld must be identified with the portion claimed to be protected
22 redacted.

23 11. If any Document or ESI is known to have existed but no longer exists, has been
24 destroyed, or is otherwise available, You must identify the Document or ESI, the reason for its
25 loss, destruction or unavailability, the name of each person known or reasonably believed by You
26 to have present possession, custody, or control of the original and any copy thereof (if
27 applicable), and a description of the disposition of each copy of the Document or ESI.
28

1 12. Every Interrogatory herein shall be deemed a continuing discovery request, and
2 You are to supplement information which adds to or is in any way inconsistent with Your initial
3 answers to these Interrogatories.

4 13. Plaintiffs reserve the right to propound additional Interrogatories.

5 **RELEVANT TIME PERIOD**

6 The relevant time period for each Interrogatory is for September 26, 2006 through the
7 present (the "Relevant Time Period"), unless otherwise specifically indicated, and shall include
8 all Documents, ESI, and any other information that relate to such period, even though prepared or
9 published outside of the relevant time period. If a Document or item of ESI prepared before this
10 period is necessary for a correct or complete understanding of any Document or item of ESI
11 covered by a request, You must produce the earlier or subsequent Document or item of ESI as
12 well. If any Document or item of ESI is undated and the date of its preparation cannot be
13 determined, the Document or item of ESI shall be produced if otherwise responsive to the
14 production request.

15 **INTERROGATORIES**

16 **A. Interrogatories Related to Facebook's Corporate Organizational Structure**
17 **and Individuals Who May Possess Relevant Information**

18 **INTERROGATORY NO. 1:**

19 Identify all persons, including Third Parties and Your current and former employees,
20 known by You to have personal knowledge of any facts or issues involved in this lawsuit, and for
21 each person please identify

- 22 (A) the party's first and last name;
23 (B) the party's employer, if not You;
24 (C) the party's job title(s); and
25 (D) the nature of the party's personal knowledge of the facts or issues involved in this
26 lawsuit.

1 **B. Interrogatories Related to Private Message Transmission and the Like**
2 **Social PlugIn**

3 **INTERROGATORY NO. 2:**

4 Identify by name, purpose, sequence, function and physical location each Process and/or
5 piece of Architecture involved in Private Message Transmission.

6 **INTERROGATORY NO. 3:**

7 For each Process and/or piece of Architecture identified in Interrogatory No. 2, identify
8 whether – and the manner in which – such Process and/or piece of Architecture scans, analyzes,
9 or extracts Private Message Content.

10 **INTERROGATORY NO. 4:**

11 For each Process and/or piece of Architecture identified in Interrogatory No. 3, identify all
12 uses to which the scanned/analyzed/extracted Private Message Content – as well as any additional
13 data, metadata or other content generated therefrom – are put.

14 **C. Interrogatories Related to How Facebook User Data Profiles Are Created,**
15 **Augmented, and Maintained**

16 **INTERROGATORY NO. 5:**

17 Identify by name, purpose, sequence, function and physical location each Process and/or
18 piece of Architecture involved in the creation, development, or maintenance of Facebook User
19 Profiles.

20 **INTERROGATORY NO. 6:**

21 Identify all possible fields or data points that can comprise a Facebook User Profile.

22 **D. Interrogatories Related to How Facebook User Data Profiles Are Used**

23 **INTERROGATORY NO. 7:**

24 For each field or data point identified in Interrogatory No. 6, identify whether – and the
25 manner in which – such field or data point can be accessed, in any form, by Third Parties,
26 including but not limited to Developers, Third Party websites, and Facebook Users.

1 Dated: January 26, 2015

Respectfully submitted,

2 LIEFF CABRASER HEIMANN & BERNSTEIN, LLP

3
4 By: /s/ Michael W. Sobol

5 Michael W. Sobol (State Bar No. 194857)
msobol@lchb.com
6 Melissa Gardner (State Bar No. 289096)
mgardner@lchb.com
7 LIEFF CABRASER HEIMANN & BERNSTEIN, LLP
275 Battery Street, 29th Floor
8 San Francisco, CA 94111-3339
Telephone: 415.956.1000
9 Facsimile: 415.956.1008

10 Rachel Geman
rgeman@lchb.com
11 Nicholas Diamand
ndiamand@lchb.com
12 LIEFF CABRASER HEIMANN & BERNSTEIN, LLP
250 Hudson Street, 8th Floor
13 New York, NY 10013-1413
Telephone: 212.355.9500
14 Facsimile: 212.355.9592

15 Hank Bates (State Bar No. 167688)
hbates@cbplaw.com
16 Allen Carney
acarney@cbplaw.com
17 David Slade
dslade@cbplaw.com
18 CARNEY BATES & PULLIAM, PLLC
11311 Arcade Drive
19 Little Rock, AR 72212
Telephone: 501.312.8500
20 Facsimile: 501.312.8505

21 *Attorneys for Plaintiffs and the Proposed Class*

1 Michael W. Sobol (State Bar No. 194857)
msobol@lchb.com
2 Melissa Gardner (State Bar No. 289096)
mgardner@lchb.com
3 LIEFF CABRASER HEIMANN & BERNSTEIN, LLP
275 Battery Street, 29th Floor
4 San Francisco, CA 94111-3339
Telephone: 415.956.1000
5 Facsimile: 415.956.1008

6 Rachel Geman
rgeman@lchb.com
7 Nicholas Diamand
ndiamand@lchb.com
8 LIEFF CABRASER HEIMANN & BERNSTEIN, LLP
250 Hudson Street, 8th Floor
9 New York, NY 10013-1413
Telephone: 212.355.9500
10 Facsimile: 212.355.9592

11 Hank Bates (State Bar No. 167688)
hbates@cbplaw.com
12 Allen Carney
acarney@cbplaw.com
13 David Slade
dslade@cbplaw.com
14 CARNEY BATES & PULLIAM, PLLC
11311 Arcade Drive
15 Little Rock, AR 72212
Telephone: 501.312.8500
16 Facsimile: 501.312.8505

17 *Attorneys 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.
27

Jeremy A. Lieberman
Lesley F. Portnoy
info@pomlaw.com
POMERANTZ, LLP
600 Third Avenue, 20th Floor
New York, New York 10016
Telephone: 212.661.1100
Facsimile: 212.661.8665

Patrick V. Dahlstrom
pdahlstrom@pomlaw.com
POMERANTZ, LLP
10 S. La Salle Street Suite 3505
Chicago, Illinois 60603
Telephone: 312.377.1181
Facsimile: 312.377.1184

Case No. C 13-5996 PJH

**PROOF OF SERVICE BY EMAIL AND
U.S. MAIL**

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

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

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

11 On January 26, 2015, I caused to be served copies of the following documents:

- 12 **1. PLAINTIFFS' FIRST SET OF INTERROGATORIES TO**
13 **DEFENDANT; and this**
- 14 **2. PROOF OF SERVICE BY EMAIL AND U.S. MAIL**

15 on the following parties in this action through their respective counsel:

16 Christopher Chorba
17 Gibson, Dunn & Crutcher LLP
333 South Grand Avenue
18 Los Angeles, CA 90071-3197
Email: cchorba@gibsondunn.com

19 Joshua Aaron Jessen
20 Gibson Dunn & Crutcher LLP
3161 Michelson Drive, Suite 1200
21 Irvine, CA 92612
Email: jjessen@gibsondunn.com

22 Executed on January 26, 2015, at San Francisco, California.

23
24 /s/ David T. Rudolph
David T. Rudolph