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14
 15 UNITED STATES DISTRICT COURT
 16 NORTHERN DISTRICT OF CALIFORNIA
 17
 18 OAKLAND DIVISION

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

21 Plaintiffs,

22 v.

23 FACEBOOK, INC.,

24 Defendant.

Case No. C 13-05996 PJH (MEJ)

**DECLARATION OF MELISSA GARDNER
 IN SUPPORT OF PLAINTIFFS’
 SEPTEMBER 18, 2015 ADMINISTRATIVE
 MOTION TO SEAL, PURSUANT TO
 CIVIL LOCAL RULE 79-5**

Judge: Honorable Maria-Elena James

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I, Melissa Gardner, declare:

I am an attorney in the law firm of Lief, Cabraser, Heimann & Bernstein, LLP, a member of the State Bar of California, and am admitted to practice before the United States District Court for the Northern District of California. I am one of the counsel for Plaintiffs in this action. I make this declaration based on my own personal knowledge. If called upon to testify, I could and would testify competently to the truth of the matters stated herein.

1. Attached hereto as **Exhibit A** is a true and correct copy of the redacted version of the parties’ Joint Letter Brief Regarding Facebook’s Responses to Plaintiffs’ Third Set of Requests for Production, filed on September 18, 2015 (the “Joint Letter”), in which the following material has been redacted:

Page	Text
3	Text between “Facebook Engineer Alex Himel stated that he ” and “In describing that work, Mr. Himel referenced”
3	Text between “Mr. Himel referenced” and “Such records would be responsive.”
3	Text between “Facebook has published a blog post containing” and “(FB000003105)”
3	Text between “evidence indicates that this outcome was” and “(RFPs 58, 59).”
3, fn 4	Text between “a Facebook employee states” and “FB000003335.”
3, fn 4	Text between “FB000000699” and “Documents discussing this”
3, fn 4	Text between “Documents discussing this” and “and outcomes thereof. . . .”
4, fn 9	Text between “previously produced documents evidence a” and “or,” and text between “or” and “that ‘increasing the Like count appears to have motivated”

2. Attached hereto as **Exhibit B** is a true and correct copy of the unredacted version of the Joint Letter. Yellow highlighting within the document identifies portions that Plaintiffs seek to file under seal.

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3. Such redacted text in Exhibit A, and highlighted text in Exhibit B, references or quotes from documents that Defendant, Facebook, Inc. (the designating party) has designated “HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY,” pursuant to the Amended Protective Order entered by the Court on July 1, 2015 (Dkt. No 93).

4. Plaintiffs take no position on whether the designated portions of the Joint Letter satisfy the requirements for sealing, and specifically reserve the right to challenge any “CONFIDENTIAL” or “CONFIDENTIAL – ATTORNEYS’ EYES ONLY” designation under the Stipulated Protective Order as well as the sealability of these documents under Civil Local Rule 79-5.

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

Executed this 18th day of September, 2015, in San Francisco, California.

LIEFF CABRASER HEIMANN & BERNSTEIN, LLP

By: /s/Melissa Gardner
Melissa Gardner