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 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' Interrogatory No. 8 and Request for Production No. 41, filed on September 18, 2015 (the "Joint Letter"), in which the following material has been redacted:

Page	Text
3	Text between "As just one example, FB000005827 explains that..." and "...Facebook, itself, appears to use the document"
3	Text between "Facebook, itself, appears to use the document..." and "Therefore, this document and any similar reference"
3, fn 5	Text following "In multiple instances..." and continuing to the end of footnote 5.
3, fn 6	Text between "FB000005827 contains several..." and "If, as this document suggests..."
3, fn 6	Text between "If, as this document suggests..." and "...Facebook must provide Plaintiffs with this data."
4	Text between "URLs contained in messages." and "This routine commercial conduct..."
4	Text between "...located 16 of them." and "Facebook also produced..."
4, fn 9	Text between "...databases storing the..." and "...which were included in the produced documentation."

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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.

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.

5. Attached hereto as **Exhibit C** is a true and correct copy of the redacted version of Exhibit E to the Joint Letter, which contains information related to private messages sent and received by Plaintiffs and third parties. This information includes, *inter alia* (1) the full name and/or Facebook ID of the sender, (2) the full name and/or Facebook ID of the recipient, (3) the date and time of the communication, (4) the URL content of the communication. Plaintiffs and third parties have a privacy interest in this personally identifiable information, and the contents of their private communications, which Plaintiffs do not wish to be publicly revealed.

6. Attached hereto as **Exhibit D** is a true and correct copy of the unredacted version of Exhibit E to the Joint Letter.

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