

EXHIBIT B

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

18 MATTHEW CAMPBELL, MICHAEL
19 HURLEY, and DAVID SHADPOUR,

20 Plaintiffs,

21 v.

22 FACEBOOK, INC.,

23 Defendant.

Case No. C 13-05996 PJH (MEJ)

PUTATIVE CLASS ACTION

**DEFENDANT FACEBOOK, INC.'S
RESPONSES AND OBJECTIONS TO
PLAINTIFFS' THIRD SET OF REQUESTS
FOR PRODUCTION OF DOCUMENTS**

1 Defendant Facebook, Inc. (“Defendant” or “Facebook”), by and through its attorneys, and
2 pursuant to Rules 26 and 34 of the Federal Rules of Civil Procedure, the Local Civil Rules of the U.S.
3 District Court for the Northern District of California, the Court orders in this action, and the parties’
4 agreements and conferences among counsel, provides the following responses and objections to
5 Plaintiffs’ Third Set of Requests for Production of Documents (the “Requests”).

6 **PRELIMINARY STATEMENT**

7 1. Facebook’s responses to the Requests are made to the best of Facebook’s current
8 knowledge, information, and belief. Facebook reserves the right to supplement or amend any
9 responses should future investigation indicate that such supplementation or amendment is necessary.

10 2. Facebook’s responses to the Requests are made solely for the purpose of and in
11 relation to this action. Each response is given subject to all appropriate objections (including, but not
12 limited to, objections concerning privilege, competency, relevancy, materiality, propriety, and
13 admissibility). All objections are reserved and may be interposed at any time.

14 3. Facebook’s responses are premised on its understanding that Plaintiffs seek only that
15 information that is within Facebook’s possession, custody, and control.

16 4. Facebook incorporates by reference each and every general objection set forth below
17 into each and every specific response. From time to time, a specific response may repeat a general
18 objection for emphasis or some other reason. The failure to include any general objection in any
19 specific response shall not be interpreted as a waiver of any general objection to that response.

20 5. Nothing contained in these Responses and Objections or provided in response to the
21 Requests consists of, or should be construed as, an admission relating to the accuracy, relevance,
22 existence, or nonexistence of any alleged facts or information referenced in any Request.

23 **GENERAL OBJECTIONS**

24 1. Facebook objects to each Request, including the Definitions and Instructions, to the
25 extent that it purports to impose obligations beyond those imposed by the Federal Rules of Civil
26 Procedure, the Federal Rules of Evidence, the Local Civil Rules of the U.S. District Court for the
27 Northern District of California, and any agreements between the parties.

1 2. Facebook objects to each Request to the extent that it is not limited to the relevant
2 time period, thus making the Request overly broad, unduly burdensome, and not relevant to the
3 claims or defenses in this action. Unless otherwise specified in its responses, and pursuant to the
4 agreement of the parties, Facebook's responses will be limited to information generated between
5 April 1, 2010 and December 30, 2013.

6 3. Facebook objects to each Request to the extent that it seeks information unrelated and
7 irrelevant to the claims or defenses in this litigation and not reasonably calculated to lead to the
8 discovery of admissible evidence.

9 4. Facebook objects to each Request as overly broad and unduly burdensome,
10 particularly in view of Facebook's disproportionate cost necessary to investigate as weighed against
11 Plaintiffs' need for the information. For example, many of the Requests seek broad and vaguely
12 defined categories of materials that are not reasonably tailored to the subject matter of this action.

13 5. Facebook objects to each Request to the extent that it purports to request the
14 identification and disclosure of information or documents that were prepared in anticipation of
15 litigation, constitute attorney work product, reveal privileged attorney-client communications, or are
16 otherwise protected from disclosure under any applicable privileges, laws, or rules. Facebook hereby
17 asserts all such applicable privileges and protections, and excludes privileged and protected
18 information from its responses to each Request. *See generally* Fed. R. Evid. 502; Cal. Code Evid.
19 § 954. Inadvertent production of any information or documents that are privileged or otherwise
20 immune from discovery shall not constitute a waiver of any privilege or of any other ground for
21 objecting to the discovery with respect to such information or documents or the subject matter
22 thereof, or the right of Facebook to object to the use of any such information or documents or the
23 subject matter thereof during these or any other proceedings. In the event of inadvertent disclosure
24 of any information or inadvertent production or identification of documents or communications that
25 are privileged or otherwise immune from discovery, Plaintiffs will return the information and
26 documents to Facebook and will be precluded from disclosing or relying upon such information or
27 documents in any way.

1 URL for that website was contained in a message transmitted through Facebook’s Messages product
2 during the class period).

3 3. Facebook objects to Plaintiffs’ definition and use of the term “Person” as vague,
4 ambiguous, overly broad, and unduly burdensome to the extent that Plaintiffs intend to use this term
5 to include “any natural person or any business, legal or governmental entity or association” over
6 which Facebook exercises no control.

7 4. Facebook objects to Plaintiffs’ definition of “Private Message(s)” to the extent that it
8 is vague, ambiguous, overly broad, and unduly burdensome. Facebook further objects to the
9 definition to the extent that Plaintiffs purport to use this defined term to seek materials that are not
10 relevant to the claims and defenses in this action.

11 5. Facebook objects to Plaintiffs’ definitions of “Relate(s) to,” “Related to” and
12 “Relating to” on the ground that the definitions make the Requests overly broad and unduly
13 burdensome and impose obligations that go beyond the requirements of the Federal and Local Rules.
14 Facebook shall construe these terms as commonly and ordinarily understood.

15 6. Facebook objects to Plaintiffs’ definition and use of the terms “You,” “Your,” or
16 “Facebook” as vague, ambiguous, overly broad, and unduly burdensome to the extent the terms are
17 meant to include “directors, officers, employees, partners, members, representatives, agents
18 (including attorneys, accountants, consultants, investment advisors or bankers), and any other person
19 purporting to act on [Facebook, Inc.’s] behalf. . . . parents, subsidiaries, affiliates, predecessor
20 entities, successor entities, divisions, departments, groups, acquired entities and/or related entities or
21 any other entity acting or purporting to act on its behalf” over which Facebook exercises no control,
22 and to the extent that Plaintiffs purport to use these terms to impose obligations that go beyond the
23 requirements of the Federal and Local Rules.

24 **OBJECTIONS TO “RULES OF CONSTRUCTION” AND INSTRUCTIONS**

25 1. Facebook objects to Plaintiffs’ “Rules of Construction” and “Instructions” to the
26 extent that they impose obligations that go beyond the requirements of the Federal and Local Rules.

27 2. Facebook objects to Plaintiffs’ Instruction No. 2 to the extent that it is not limited to
28 the relevant time period, thus making the Instruction overly broad, unduly burdensome, and not

1 relevant to the claims or defenses in this action. Unless otherwise specified in its responses, and
2 pursuant to the agreement of the parties, Facebook’s response will be limited to information
3 generated between April 1, 2010 and December 30, 2013.

4 3. Facebook objects to Plaintiffs’ Instruction No. 6 as ambiguous and unduly
5 burdensome. Facebook further objects to the Instruction to the extent it seeks the production of
6 irrelevant documents and exceeds the requirements of the Federal and Local Rules.

7 **OBJECTION TO PURPORTED “RELEVANT TIME PERIOD”**

8 Facebook objects to Plaintiffs’ proposed “Relevant Time Period” (September 26, 2006, to the
9 present) because it substantially exceeds the proposed class period identified in Plaintiffs’
10 Consolidated Amended Complaint, does not reflect the time period that is relevant to Plaintiffs’
11 claims in this action, and renders the Requests overly broad, unduly burdensome, and irrelevant.
12 Unless otherwise specified, and pursuant to the agreement of the parties, Facebook’s Responses to
13 these Requests will be limited to information generated between April 1, 2010 and December 30,
14 2013. Facebook otherwise objects to the remainder of Plaintiffs’ statement regarding the “Relevant
15 Time Period” to the extent that it purports to impose obligations beyond those imposed by the Federal
16 and Local Rules.

17 **SPECIFIC RESPONSES AND OBJECTIONS**

18 **REQUEST FOR PRODUCTION NO. 53:**

19 All Documents and ESI relating to Your efforts, or efforts by Third Parties on Your behalf—
20 whether undertaken or contemplated but not undertaken—to assign a monetary value to Facebook
21 Users, or to determine the monetary value of data received or content collected by You from
22 Facebook Users (and/or any additional information derived therefrom), or to determine the revenue
23 or profits made from data received or content collected by You from Facebook Users (and/or any
24 additional information derived therefrom).

25 **RESPONSE TO REQUEST FOR PRODUCTION NO. 53:**

26 Facebook restates and incorporates its Preliminary Statement, General Objections, Objections
27 to “Rules of Construction,” Instructions, and Purported “Relevant Time Period” as though fully set
28 forth in this Response. Facebook further objects to this Request on the following additional grounds:

1 (A) Facebook objects to this Request to the extent that it seeks documents protected from
2 disclosure by the attorney-client privilege, the attorney work-product doctrine, and/or any other
3 applicable privilege, doctrine, or protection. Facebook interprets this Request as though it excludes
4 documents protected by these privileges and protections.

5 (B) The Request is vague and ambiguous in its use of the terms and phrases “efforts by
6 Third Parties on Your behalf,” “undertaken or contemplated but not undertaken,” “data received or
7 content collected,” “revenue or profits made from data received or content collected” and “any
8 additional information derived therefrom.”

9 (C) The Request is overly broad and unduly burdensome as to the time period and to the
10 extent it seeks “All Documents and ESI.”

11 (D) The Request seeks documents that reflect trade secrets, confidential, and/or
12 proprietary company information.

13 (E) The Request is overly broad, unduly burdensome, and harassing in view of
14 Facebook’s cost necessary to investigate as weighed against Plaintiffs’ need for the information. This
15 Request purports to seek all documents related to Facebook’s “efforts, or efforts by Third Parties on
16 [Facebook’s] behalf—whether undertaken or contemplated but not undertaken—to assign a monetary
17 value to Facebook Users, or to determine the monetary value of data received or content collected by
18 [Facebook] from Facebook Users (and/or any additional information derived therefrom), or to
19 determine the revenue or profits made from data received or content collected by [Facebook] from
20 Facebook Users (and/or any additional information derived therefrom,” regardless of the relevance of
21 those documents to the claims or defenses in this action.

22 (F) The Request seeks documents that are not relevant to the claims or defenses in this
23 action and are not reasonably calculated to lead to the discovery of admissible evidence.

24 (G) The Request seeks to impose obligations that go beyond the requirements of the
25 Federal and Local Rules.

26 Subject to and without waiving the foregoing objections, and subject to the ongoing nature of
27 discovery in this action, Facebook responds as follows: Facebook will meet and confer with
28 Plaintiffs’ counsel to determine the proper scope of this overly broad and ambiguous Request.

1 **REQUEST FOR PRODUCTION NO. 54:**

2 All Documents and ESI relating to Your efforts, or efforts by Third Parties on Your behalf—
3 whether undertaken or contemplated but not undertaken—to assign a monetary value to the data
4 contained within, or data received or content collected from, Private Messages, and/or any additional
5 information derived therefrom.

6 **RESPONSE TO REQUEST FOR PRODUCTION NO. 54:**

7 Facebook restates and incorporates its Preliminary Statement, General Objections, Objections
8 to “Rules of Construction,” Instructions, and Purported “Relevant Time Period” as though fully set
9 forth in this Response. Facebook further objects to this Request on the following additional grounds:

10 (A) Facebook objects to this Request to the extent that it seeks documents protected from
11 disclosure by the attorney-client privilege, the attorney work-product doctrine, and/or any other
12 applicable privilege, doctrine, or protection. Facebook interprets this Request as though it excludes
13 documents protected by these privileges and protections.

14 (B) The Request is vague and ambiguous in its use of the terms and phrases “efforts by
15 Third Parties on Your behalf,” “undertaken or contemplated but not undertaken,” “data contained
16 within, or data received or content collected from,” “Private Messages,” and “any additional
17 information derived therefrom.”

18 (C) The Request is overly broad and unduly burdensome as to the time period and to the
19 extent it seeks “All Documents and ESI.”

20 (D) The Request seeks documents that reflect trade secrets, confidential, and/or
21 proprietary company information.

22 (E) The Request is overly broad, unduly burdensome, and harassing in view of
23 Facebook’s cost necessary to investigate as weighed against Plaintiffs’ need for the information. This
24 Request purports to seek all documents related to Facebook’s “or efforts by Third Parties on
25 [Facebook’s] behalf—whether undertaken or contemplated but not undertaken—to assign a monetary
26 value to the data contained within, or data received or content collected from, Private Messages,
27 and/or any additional information derived therefrom,” regardless of the relevance of those documents
28 to the claims or defenses in this action.

1 (F) The Request seeks documents that are not relevant to the claims or defenses in this
2 action and are not reasonably calculated to lead to the discovery of admissible evidence.

3 (G) The Request seeks to impose obligations that go beyond the requirements of the
4 Federal and Local Rules.

5 Subject to and without waiving the foregoing objections, and subject to the ongoing nature of
6 discovery in this action, Facebook responds as follows: Facebook will meet and confer with
7 Plaintiffs' counsel to determine the proper scope of this overly broad and ambiguous Request.

8 **REQUEST FOR PRODUCTION NO. 55:**

9 All Documents and ESI sufficient to identify the number of web pages with "Like" Social
10 Plugins embedded, by month, during the Relevant Time Period.

11 **RESPONSE TO REQUEST FOR PRODUCTION NO. 55:**

12 Facebook restates and incorporates its Preliminary Statement, General Objections, Objections
13 to "Rules of Construction," Instructions, and Purported "Relevant Time Period" as though fully set
14 forth in this Response. Facebook further objects to this Request on the following additional grounds:

15 (A) Facebook objects to this Request to the extent that it seeks documents protected from
16 disclosure by the attorney-client privilege, the attorney work-product doctrine, and/or any other
17 applicable privilege, doctrine, or protection. Facebook interprets this Request as though it excludes
18 documents protected by these privileges and protections.

19 (B) The Request is overly broad and unduly burdensome as to the time period and to the
20 extent it seeks "All Documents and ESI."

21 (C) The Request seeks documents that reflect trade secrets, confidential, and/or
22 proprietary company information.

23 (D) The Request is overly broad, unduly burdensome, and harassing in view of
24 Facebook's cost necessary to investigate as weighed against Plaintiffs' need for the information. This
25 Request purports to seek all documents sufficient to identify "the number of web pages with 'Like'
26 Social Plugins embedded, by month," regardless of the relevance of those documents to the claims or
27 defenses in this action.

28

1 (E) The Request seeks documents that are not relevant to the claims or defenses in this
2 action and are not reasonably calculated to lead to the discovery of admissible evidence.

3 (F) The Request seeks to impose obligations that go beyond the requirements of the
4 Federal and Local Rules.

5 Subject to and without waiving the foregoing objections, and subject to the ongoing nature of
6 discovery in this action, Facebook responds as follows: Facebook will conduct a reasonable search
7 for non-privileged documents sufficient to identify the number of web pages with “Like” Social
8 Plugins embedded between April 1, 2010 and December 30, 2013, to the extent such documents
9 exist, are within Facebook’s custody and control, have not already been produced to Plaintiffs, and
10 can be located using a reasonable search.

11 **REQUEST FOR PRODUCTION NO. 56:**

12 All Documents and ESI sufficient to identify the number “Likes” generated, by month, during
13 the Relevant Time Period.

14 **RESPONSE TO REQUEST FOR PRODUCTION NO. 56:**

15 Facebook restates and incorporates its Preliminary Statement, General Objections, Objections
16 to “Rules of Construction,” Instructions, and Purported “Relevant Time Period” as though fully set
17 forth in this Response. Facebook further objects to this Request on the following additional grounds:

18 (A) Facebook objects to this Request to the extent that it seeks documents protected from
19 disclosure by the attorney-client privilege, the attorney work-product doctrine, and/or any other
20 applicable privilege, doctrine, or protection. Facebook interprets this Request as though it excludes
21 documents protected by these privileges and protections.

22 (B) The Request is overly broad and unduly burdensome as to the time period and to the
23 extent it seeks “All Documents and ESI.”

24 (C) The Request seeks documents that reflect trade secrets, confidential, and/or
25 proprietary company information.

26 (D) The Request is overly broad, unduly burdensome, and harassing in view of
27 Facebook’s cost necessary to investigate as weighed against Plaintiffs’ need for the information. This
28 Request purports to seek all documents sufficient to identify “the number ‘Likes’ generated, by

1 month, during the Relevant Time Period,” regardless of the relevance of those documents to the
2 claims or defenses in this action.

3 (E) The Request seeks documents that are not relevant to the claims or defenses in this
4 action and are not reasonably calculated to lead to the discovery of admissible evidence.

5 (F) The Request seeks to impose obligations that go beyond the requirements of the
6 Federal and Local Rules.

7 **REQUEST FOR PRODUCTION NO. 57:**

8 All Documents and ESI sufficient to identify the number of Passive Likes generated, by
9 month, during the Relevant Time Period

10 **RESPONSE TO REQUEST FOR PRODUCTION NO. 57:**

11 Facebook restates and incorporates its Preliminary Statement, General Objections, Objections
12 to “Rules of Construction,” Instructions, and Purported “Relevant Time Period” as though fully set
13 forth in this Response. Facebook further objects to this Request on the following additional grounds:

14 (A) Facebook objects to this Request to the extent that it seeks documents protected from
15 disclosure by the attorney-client privilege, the attorney work-product doctrine, and/or any other
16 applicable privilege, doctrine, or protection. Facebook interprets this Request as though it excludes
17 documents protected by these privileges and protections.

18 (B) The Request is vague and ambiguous in its use of the term “Passive Likes.”

19 (C) The Request is overly broad and unduly burdensome as to the time period and to the
20 extent it seeks “All Documents and ESI.”

21 (D) The Request seeks documents that reflect trade secrets, confidential, and/or
22 proprietary company information.

23 (E) The Request is overly broad, unduly burdensome, and harassing in view of
24 Facebook’s cost necessary to investigate as weighed against Plaintiffs’ need for the information. This
25 Request purports to seek all documents sufficient to identify “the number of Passive Likes generated,
26 by month,” regardless of the relevance of those documents to the claims or defenses in this action.

27 (F) The Request seeks documents that are not relevant to the claims or defenses in this
28 action and are not reasonably calculated to lead to the discovery of admissible evidence.

1 (G) The Request seeks to impose obligations that go beyond the requirements of the
2 Federal and Local Rules.

3 Subject to and without waiving the foregoing objections, and subject to the ongoing nature of
4 discovery in this action, Facebook responds as follows: Facebook will conduct a reasonable search
5 for non-privileged documents sufficient to identify the number Likes that were generated as a result
6 of the processes involved in the practice challenged in this action (the alleged increase in the
7 Facebook “Like” count on a website when the URL for that website was contained in a message
8 transmitted through Facebook’s Messages product) between April 1, 2010 and December 30, 2013, to
9 the extent such documents exist, are within Facebook’s custody and control, have not already been
10 produced to Plaintiffs, and can be located using a reasonable search.

11 **REQUEST FOR PRODUCTION NO. 58:**

12 All Documents and ESI related to any analysis—for internal or external use—correlating the
13 acquisition of “Likes” by Third Parties and the advertising spend of those Third Parties on Facebook
14 ad buys.

15 **RESPONSE TO REQUEST FOR PRODUCTION NO. 58:**

16 Facebook restates and incorporates its Preliminary Statement, General Objections, Objections
17 to “Rules of Construction,” Instructions, and Purported “Relevant Time Period” as though fully set
18 forth in this Response. Facebook further objects to this Request on the following additional grounds:

19 (A) Facebook objects to this Request to the extent that it seeks documents protected from
20 disclosure by the attorney-client privilege, the attorney work-product doctrine, and/or any other
21 applicable privilege, doctrine, or protection. Facebook interprets this Request as though it excludes
22 documents protected by these privileges and protections.

23 (B) The Request is vague and ambiguous in its use of the terms and phrases “analysis—for
24 internal or external use,” “correlating the acquisition of ‘Likes’ by Third Parties,” “advertising
25 spend,” and “ad buys.”

26 (C) The Request is overly broad and unduly burdensome as to the time period and to the
27 extent it seeks “All Documents and ESI.”

28

1 (D) The Request seeks documents that reflect trade secrets, confidential, and/or
2 proprietary company information.

3 (E) The Request is overly broad, unduly burdensome, and harassing in view of
4 Facebook’s cost necessary to investigate as weighed against Plaintiffs’ need for the information. This
5 Request purports to seek all documents related to “any analysis—for internal or external use—
6 correlating the acquisition of ‘Likes’ by Third Parties and the advertising spend of those Third Parties
7 on Facebook ad buys,” regardless of the relevance of those documents to the claims or defenses in
8 this action.

9 (F) The Request seeks documents that are not relevant to the claims or defenses in this
10 action and are not reasonably calculated to lead to the discovery of admissible evidence.

11 (G) The Request seeks to impose obligations that go beyond the requirements of the
12 Federal and Local Rules.

13 **REQUEST FOR PRODUCTION NO. 59:**

14 All Documents and ESI relating to Your efforts, or efforts by Third Parties on Your behalf—
15 whether undertaken or contemplated but not undertaken—to assign a monetary value to the presence
16 of a “Like” Social Plugin on a Third-Party website, or to determine the value of data received or
17 content collected from the presence of a “Like” Social Plugin on a Third-Party website (and/or any
18 additional information derived therefrom), or to determine the revenue or profits made from the
19 presence of a “Like” Social Plugin on a Third-Party website (and/or any additional information
20 derived therefrom).

21 **RESPONSE TO REQUEST FOR PRODUCTION NO. 59:**

22 Facebook restates and incorporates its Preliminary Statement, General Objections, Objections
23 to “Rules of Construction,” Instructions, and Purported “Relevant Time Period” as though fully set
24 forth in this Response. Facebook further objects to this Request on the following additional grounds:

25 (A) Facebook objects to this Request to the extent that it seeks documents protected from
26 disclosure by the attorney-client privilege, the attorney work-product doctrine, and/or any other
27 applicable privilege, doctrine, or protection. Facebook interprets this Request as though it excludes
28 documents protected by these privileges and protections.

1 (B) The Request is vague and ambiguous in its use of the terms and phrases “efforts by
2 Third Parties on Your behalf,” “undertaken or contemplated but not undertaken,” “data received or
3 content collected from,” “revenue or profits,” and “any additional information derived therefrom.”
4 The Request is also vague and ambiguous because it is unclear whether the Request seeks
5 information about the value of a “Like” social plugin on a third-party website to Facebook or to the
6 developer of the third-party website.

7 (C) The Request is overly broad and unduly burdensome as to the time period and to the
8 extent it seeks “All Documents and ESI.”

9 (D) The Request seeks documents that reflect trade secrets, confidential, and/or
10 proprietary company information.

11 (E) The Request is overly broad, unduly burdensome, and harassing in view of
12 Facebook’s cost necessary to investigate as weighed against Plaintiffs’ need for the information. This
13 Request purports to seek all documents related to Facebook’s “efforts by Third Parties on
14 [Facebook’s] behalf—whether undertaken or contemplated but not undertaken—to assign a monetary
15 value to the presence of a ‘Like’ Social Plugin on a Third-Party website, or to determine the value of
16 data received or content collected from the presence of a ‘Like’ Social Plugin on a Third-Party
17 website (and/or any additional information derived therefrom), or to determine the revenue or profits
18 made from the presence of a ‘Like’ Social Plugin on a Third-Party website (and/or any additional
19 information derived therefrom),” regardless of the relevance of those documents to the claims or
20 defenses in this action.

21 (F) The Request seeks documents that are not relevant to the claims or defenses in this
22 action and are not reasonably calculated to lead to the discovery of admissible evidence.

23 (G) The Request seeks to impose obligations that go beyond the requirements of the
24 Federal and Local Rules.

25 Subject to and without waiving the foregoing objections, and subject to the ongoing nature of
26 discovery in this action, Facebook responds as follows: Facebook will meet and confer with
27 Plaintiffs’ counsel to determine the proper scope of this overly broad and ambiguous Request.

28 **REQUEST FOR PRODUCTION NO. 60:**

1 All Documents and ESI relating to Your efforts, or efforts by Third Parties on Your behalf—
2 whether undertaken or contemplated but not undertaken—to increase and/or maximize the presence
3 of the Like Social Plugin on Third Party websites.

4 **RESPONSE TO REQUEST FOR PRODUCTION NO. 60:**

5 Facebook restates and incorporates its Preliminary Statement, General Objections, Objections
6 to “Rules of Construction,” Instructions, and Purported “Relevant Time Period” as though fully set
7 forth in this Response. Facebook further objects to this Request on the following additional grounds:

8 (A) Facebook objects to this Request to the extent that it seeks documents protected from
9 disclosure by the attorney-client privilege, the attorney work-product doctrine, and/or any other
10 applicable privilege, doctrine, or protection. Facebook interprets this Request as though it excludes
11 documents protected by these privileges and protections.

12 (B) The Request is vague and ambiguous in its use of the terms and phrases “efforts by
13 Third Parties on Your behalf,” “undertaken or contemplated but not undertaken,” and “increase
14 and/or maximize.”

15 (C) The Request is overly broad and unduly burdensome as to the time period and to the
16 extent it seeks “All Documents and ESI.”

17 (D) The Request is overly broad, unduly burdensome, and harassing in view of
18 Facebook’s cost necessary to investigate as weighed against Plaintiffs’ need for the information. This
19 Request purports to seek all documents related to Facebook’s “efforts, or efforts by Third Parties on
20 [Facebook’s] behalf—whether undertaken or contemplated but not undertaken—to increase and/or
21 maximize the presence of the Like Social Plugin on Third Party websites,” regardless of the
22 relevance of those documents to the claims or defenses in this action.

23 (E) The Request seeks documents that are not relevant to the claims or defenses in this
24 action and are not reasonably calculated to lead to the discovery of admissible evidence.

25 (F) The Request seeks to impose obligations that go beyond the requirements of the
26 Federal and Local Rules.

1 DATED: August 3, 2015

GIBSON, DUNN & CRUTCHER LLP

2 By: _____ /s/
3 Joshua A. Jessen

4 Attorney for Defendant FACEBOOK, INC.
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1 **PROOF OF SERVICE**

2 I, Ashley M. Rogers, declare as follows:

3 I am employed in the County of Santa Clara, State of California, I am over the age of eighteen
4 years and am not a party to this action; my business address is 1881 Page Mill Road, Palo Alto, CA
94304-1211, in said County and State. On August 3, 2015, I served the following document(s):

5 **DEFENDANT FACEBOOK, INC.’S RESPONSES AND OBJECTIONS TO**
6 **PLAINTIFFS’ THIRD SET OF REQUESTS FOR PRODUCTION OF**
7 **DOCUMENTS**

8 on the parties stated below, by the following means of service:

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- BY ELECTRONIC SERVICE:** On the above-mentioned date, based on a court order or an agreement of the parties to accept service by electronic transmission, I caused the documents to be sent to the persons at the electronic notification addresses as shown above.
- I am employed in the office of Joshua A. Jessen and am a member of the bar of this court.
- I declare under penalty of perjury that the foregoing is true and correct.

Executed on August 3, 2015.

/s/
Ashley M. Rogers