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12 Attorneys for Defendant
 FACEBOOK, INC.

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

17 MATTHEW CAMPBELL, MICHAEL
 HURLEY, and DAVID SHADPOUR,

18 Plaintiffs,

19 v.

20 FACEBOOK, INC.,

21 Defendant.

Case No. C 13-05996 PJH (MEJ)

PUTATIVE CLASS ACTION

**DECLARATION OF NIKKI STITT
 SOKOL IN SUPPORT OF PLAINTIFFS’
 ADMINISTRATIVE MOTION TO FILE
 DOCUMENTS UNDER SEAL – DKT. NO.
 110**

1 I, Nikki Stitt Sokol, declare as follows:

2 1. I am Associate General Counsel for Litigation for Defendant Facebook, Inc.
3 (“Facebook”). Pursuant to Civil Local Rule 79-5(d) and the Amended Stipulated Protective Order
4 entered by the Court on July 1, 2015 (the “Protective Order”) (Dkt. No. 93), I submit this Declaration
5 in support of Plaintiffs’ Administrative Motion to file under seal portions of the parties’ Joint Letter
6 Brief Regarding Facebook’s Responses to Plaintiffs’ Third Set of Requests for Production (“Joint
7 Letter Brief”) (Dkt. No. 110). Except as otherwise noted, I have personal knowledge of the facts set
8 forth in this Declaration and, if called and sworn as a witness, could and would testify competently to
9 them.

10 2. The requested relief is necessary to protect the confidentiality of certain Facebook
11 information relied upon in the Joint Letter Brief. The Joint Letter Brief contains non-public,
12 confidential, and proprietary Facebook business information that Facebook designated as HIGHLY
13 CONFIDENTIAL – ATTORNEYS’ EYES ONLY pursuant to the Protective Order. Specifically, the
14 following chart explains which portions of the Joint Letter Brief contain the confidential information
15 that should remain under seal:

Page	Text	Reason for Confidentiality
3	Text between “In his June 2015 Declaration, Facebook Engineer Alex Himel stated that he” and “In describing that work, Mr. Himel referenced”	This includes non-public, confidential, and proprietary information that Facebook designated as HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY pursuant to the Protective Order. This information concerns the processes and functionality of Facebook’s messages technology and source code that is protectable as a trade secret or otherwise entitled to protection under the law. Public disclosure of this information would cause competitive harm to Facebook by allowing its competitors to access sensitive information, which they could use to gain an unfair advantage against Facebook. Such information could also be used by individuals or companies that might seek to compromise the security of Facebook’s messages technology, causing harm to Facebook and users of Facebook’s products.
3	Text between “Mr. Himel referenced” and “Such records would be responsive”	This includes non-public, confidential, and proprietary information that Facebook designated as HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY pursuant to the Protective Order. This information

Page	Text	Reason for Confidentiality
		concerns the processes and functionality of Facebook’s messages technology and source code that is protectable as a trade secret or otherwise entitled to protection under the law. Public disclosure of this information would cause competitive harm to Facebook by allowing its competitors to access sensitive information, which they could use to gain an unfair advantage against Facebook. Such information could also be used by individuals or companies that might seek to compromise the security of Facebook’s messages technology, causing harm to Facebook and users of Facebook’s products
3	Text between “Facebook has published a blog post containing” and “(FB000003105)”	This includes non-public, confidential, and proprietary information that Facebook designated as HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY pursuant to the Protective Order. This portion of the Joint Letter Brief in Plaintiffs’ section misstates the nature of the document cited, which is a Facebook internal draft document—not a public blog post—regarding Facebook’s technology.
3	Text between “evidence indicates that this outcome was” and “(RFPs 58, 59)”	This includes non-public, confidential, and proprietary information that Facebook designated as HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY pursuant to the Protective Order. This information is a Facebook internal discussion of business and engineering decisions regarding Facebook’s technology that is entitled to protection under the law. Public disclosure of this information would cause competitive harm to Facebook by allowing its competitors to access sensitive information, which they could use to gain an unfair advantage against Facebook.
3, fn 4	Text between “a Facebook employee states” and “FB000003335”	This includes non-public, confidential, and proprietary information that Facebook designated as HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY pursuant to the Protective Order. This information is a Facebook internal discussion of business and engineering decisions regarding Facebook’s technology that is entitled to protection under the law. Public disclosure of this information would cause competitive harm to Facebook by allowing its competitors to access sensitive information, which they could use to gain an unfair advantage against Facebook.
3, fn 4	Text between “FB000000699” and “Documents discussing this”	This includes non-public, confidential, and proprietary information that Facebook designated as HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY pursuant to the Protective Order. This information is a Facebook internal discussion of business and engineering decisions regarding Facebook’s technology that is entitled

Page	Text	Reason for Confidentiality
		to protection under the law. Public disclosure of this information would cause competitive harm to Facebook by allowing its competitors to access sensitive information, which they could use to gain an unfair advantage against Facebook.
3, fn 4	Text between “Documents discussing this” and “and outcomes thereof”	This includes non-public, confidential, and proprietary information that Facebook designated as HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY pursuant to the Protective Order. This information is a Facebook internal discussion of business and engineering decisions regarding Facebook’s technology that is entitled to protection under the law. Public disclosure of this information would cause competitive harm to Facebook by allowing its competitors to access sensitive information, which they could use to gain an unfair advantage against Facebook.
5, fn 9	Text between “previously produced documents evidence a” and “or”; text between “or” and “that [i]ncreasing the Like count appears to have motivated”	This includes non-public, confidential, and proprietary information that Facebook designated as HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY pursuant to the Protective Order. This information is a Facebook internal discussion of business and engineering decisions regarding Facebook’s messages technology that is entitled to protection under the law. Public disclosure of this information would cause competitive harm to Facebook by allowing its competitors to access sensitive information, which they could use to gain an unfair advantage against Facebook.

I declare under penalty of perjury under the laws of the United States of America and the State of California that the foregoing is true and correct, and that I executed this Declaration in Menlo Park, California on September 22, 2015.

/s/
Nikki Stitt Sokol

ATTORNEY ATTESTATION

1 I, Joshua A. Jessen, attest that concurrence in the filing of this Declaration of Nikki Stitt Sokol
2 has been obtained from the signatory. I declare under penalty of perjury under the laws of the United
3 States of America that the foregoing is true and correct. Executed this 22nd day of September, 2015,
4 in Irvine, California.
5

6 _____ /s/
7 Joshua A. Jessen
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