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FACEBOOK, INC.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

MATTHEW CAMPBELL, MICHAEL  
HURLEY, and DAVID SHADPOUR,

Plaintiffs,

v.

FACEBOOK, INC.,

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.  
111**

I, Nikki Stitt Sokol, declare as follows:

1. I am Associate General Counsel for Litigation for Defendant Facebook, Inc. (“Facebook”). Pursuant to Civil Local Rule 79-5(d) and the Amended Stipulated Protective Order entered by the Court on July 1, 2015 (the “Protective Order”) (Dkt. No. 93), I submit this Declaration in support of Plaintiffs’ Administrative Motion to file under seal portions of the parties’ Joint Letter Brief Regarding Facebook’s Responses to Plaintiffs’ Interrogatory No. 8 and Request for Production No. 41 (“Joint Letter Brief”) (Dkt. No. 111). Except as otherwise noted, I have personal knowledge of the facts set forth in this Declaration and, if called and sworn as a witness, could and would testify competently to them.

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

Page	Text	Reason for Confidentiality
3	Text between “As just one example, FB000005827 explains that” and “Facebook, itself, appears to use the document”	This includes non-public, confidential, and proprietary information that Facebook designated as HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY pursuant to the Protective Order. This information references technical information about the processes and functionality of Facebook’s messages technology 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, itself, appears to use the document ” and “Therefore, this document and any	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
	similar reference”	references technical information about the processes and functionality of Facebook’s messages technology that is protectable as 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, fn 5	Text following “In multiple instances,” and continuing to the end of footnote 5	This includes non-public, confidential, and proprietary information that Facebook designated as HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY pursuant to the Protective Order. This information references technical information about the processes and functionality of Facebook’s messages technology that is protectable as 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, fn 6	Text between “Additionally, FB000005827 contains several” and “If, as this document suggests”	This includes non-public, confidential, and proprietary information that Facebook designated as HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY pursuant to the Protective Order. This information references technical information about the processes and functionality of Facebook’s messages technology that is protectable as 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, fn 6	Text between “If, as this document suggests” and “Facebook must provide Plaintiffs with this data”	This includes non-public, confidential, and proprietary information that Facebook designated as HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY pursuant to the Protective Order. This information references technical information about the processes and functionality of Facebook’s messages technology that is

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		protectable as 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.
4	Text between "Facebook did not 'intercept' URLs contained in messages" and "This routine commercial conduct violates no law"	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 that is protectable as 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.
4	Text between "Facebook searched for and located 16 of them" and "Facebook also produced"	This includes non-public, confidential, and proprietary information that Facebook designated as HIGHLY CONFIDENTIAL – ATTORNEYS' EYES ONLY pursuant to the Protective Order. This information references technical information about the processes and functionality of Facebook's messages technology that is protectable as 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.

Page	Text	Reason for Confidentiality
4, fn 9	Text between “databases storing the” and “which were included in the produced documentation”	This includes non-public, confidential, and proprietary information that Facebook designated as HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY pursuant to the Protective Order. This information references technical about the processes and functionality of Facebook’s messages technology that is protectable as 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.

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**

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

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Joshua A. Jessen