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13 *Attorneys for Plaintiffs and the Proposed Class*

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.  
25

Case No. C 13-05996 PJH (MEJ)

**PLAINTIFFS' ADMINISTRATIVE  
MOTION TO FILE UNDER SEAL RE  
JOINT LETTER ON 30(b)(6) DEPOSITION  
NOTICE**

Judge: Honorable Maria-Elena James

1 Pursuant to Civil Local Rule 7-11 and 79-5(c) and (d), Plaintiffs respectfully request an  
2 order from the Court authorizing the filing under seal (1) Exhibits A-D to the Joint Letter Brief  
3 Regarding Topics One and Two of Plaintiffs’ 30(b)(6) Notice Of Deposition (“Joint Letter”), and  
4 (2) certain designated portions of the Joint Letter.

5 Exhibits A-D to the Joint Letter are attached to the Declaration of Melissa Gardner  
6 (“Gardner Declaration”) submitted herewith. A complete, unredacted version of the Joint Letter  
7 is attached as Exhibit E to the Gardner Declaration, and contains yellow highlighting to indicate  
8 where redactions are proposed. A redacted version of the Joint Letter is attached as Exhibit F to  
9 the Gardner Declaration.

10 Plaintiffs request that Exhibits A-D to the Joint Letter be filed under seal because those  
11 Exhibits have been designated “HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY”  
12 under the Amended Stipulated Protective Order (Dkt. No. 93). Exhibits B-D were designated as  
13 such by Facebook. Exhibit A was designated by Plaintiffs, on the grounds that Exhibit A  
14 contains information previously designated as Protected Material by Facebook. Specifically,  
15 Exhibit A contains information contained within Facebook’s Interrogatory Responses, which  
16 were designated “HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY” by Defendant.  
17 Gardner Decl. ¶¶ 5-6. Likewise, Plaintiffs propose to redact the following text within the Joint  
18 Letter because such text reveals information contained within Exhibits A-D:

<b>Page</b>	<b>Text</b>
2	Between “Facebook provides its characterization of how and when it scanned its users’ private messages for URL content,...” and “...Likes associated with those URLs on third party websites.”
2	Between “...stating that these practices...” and “...(Id. at 11:5-8).”
2	Between “...and occurred for purposes...” and “...(Id. at 11:8-10).”
2, fn. 2	Between “Specifically, Facebook’s responses discuss...” and “See, generally, Ex, C.”

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

5 Defendant must show good cause for sealing the documents it has placed a confidentiality  
6 designation upon by submitting a declaration within four days after the lodging of the designated  
7 documents. *See* Civil Local Rule 79-5(e).

8  
9 Dated: October 1, 2015

LIEFF CABRASER HEIMANN & BERNSTEIN, LLP

10 By: /s/ Melissa Gardner  
11 Melissa Gardner

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