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13 *Attorneys for Plaintiffs and the Proposed Class*

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

Judge: Honorable Maria-Elena James

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I, Melissa Gardner, declare:

1. 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.

2. I submit this Declaration in Support of Plaintiffs’ Administrative Motion to File Under Seal, submitted in connection with the parties’ Joint Letter Brief Regarding Topics One and Two of Plaintiffs’ 30(b)(6) Notice of Deposition (the “Joint Letter”).

3. Attached hereto as **Exhibit A** is Exhibit A to the Joint Letter, a true and correct copy of Plaintiffs’ Notice of Deposition Pursuant to Federal Rule of Civil Procedure 30(b)(6), served on September 18, 2015, and designated by Plaintiffs as HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY pursuant to the Amended Stipulated Protective Order entered by the Court on July 1, 2015 (Dkt. No 93).

4. Attached hereto as **Exhibit B** is Exhibit B to the Joint Letter, a true and correct copy of Defendant’s Responses and Objections to Plaintiffs’ Notice of Deposition Pursuant to Federal Rule of Civil Procedure 30(b)(6), served on September 22, 2015 and designated by Defendant as HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY.

5. Attached hereto as **Exhibit C** is Exhibit C to the Joint Letter, a true and correct copy of Defendant’s Responses and Objections to Plaintiffs’ First Set of Interrogatories, served on April 1, 2015 and designated by Defendant as HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY.

6. Attached hereto as **Exhibit D** is Exhibit D to the Joint Letter, a true and correct copy of Defendant’s Supplemental Responses and Objections to Plaintiffs’ First Set of Interrogatories, served on September 8, 2015 and designated by Defendant as HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY.

7. Attached hereto as **Exhibit E** is a true and correct copy of the unredacted version of the Joint Letter. Highlighted text in Exhibit E is text that Plaintiffs propose to redact on the

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grounds that such text contains information that Defendant (the designating party) has designated  
HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY.

8. Attached hereto as **Exhibit F** is a true and correct copy of the redacted version of  
the Joint Letter. Redacted text in Exhibit F is text that Plaintiffs propose to redact on the grounds  
that such text reflects information that Defendant (the designating party) has designated HIGHLY  
CONFIDENTIAL – ATTORNEYS’ EYES ONLY.

9. Plaintiffs take no position on whether the Exhibits A-D to the Joint Letter, or the  
text of the Joint Letter designated for redaction, satisfy the requirements for sealing. Plaintiffs  
specifically reserve the right to challenge any “HIGHLY CONFIDENTIAL – ATTORNEYS’  
EYES ONLY” designation under the Stipulated Protective Order as well as the sealability of  
these documents under Civil Local Rule 79-5.

I declare under penalty of perjury under the laws of the United States that the foregoing is  
true and correct.

Executed this 1<sup>st</sup> day of October, 2015, in San Francisco, California.

LIEFF CABRASER HEIMANN & BERNSTEIN, LLP

By:           /s/Melissa Gardner            
Melissa Gardner