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UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA

MATTHEW CAMPBELL and MICHAEL  
 HURLEY, on behalf of themselves and all  
 others similarly situated,

Plaintiffs,

v.

FACEBOOK, INC.,

Defendant.

Case No. 4:13-cv-05996-PJH (MEJ)

**DECLARATION OF MICHAEL W. SOBOL  
 IN SUPPORT OF PLAINTIFFS' RENEWED  
 MOTION TO CONTINUE DEADLINES**

1 I, Michael W. Sobol, hereby declare:

2 1. I am a member in good standing of the California State Bar and a partner in the  
3 law firm Lieff, Cabraser, Heimann & Bernstein, LLP, counsel for the plaintiffs in the above-  
4 captioned action. I have personal knowledge of the facts set forth herein, and if called to testify  
5 thereto, I could and would do so competently. I submit this Declaration in support of Plaintiffs’  
6 renewed motion to extend the class certification and early summary judgment deadlines.

7 2. Plaintiffs request a further extension of roughly 60 days to complete discovery  
8 related to class certification and Facebook’s anticipated summary judgment motion. In early  
9 September, prior to this Court’s Order granting a 30-day extension, Plaintiffs attempted, without  
10 success, to obtain a stipulation for a 90-day extension of the same deadlines.

11 3. When the matter came before the Court, Facebook represented that discovery  
12 would be substantially complete by September 30, 2015. (Dkt. 114).

13 4. As of September 30, Facebook’s production comprised approximately 1,920  
14 documents, totaling approximately 9,866 pages, many of which were duplicates or publicly-  
15 available documents. On October 13, 2015 Facebook produced an additional 994 documents,  
16 totaling approximately 2,656 pages. Close to midnight on October 28, 2015 Facebook produced  
17 another 541 documents, totaling approximately 3,292 pages, a substantial number of which  
18 appear to be native files that will take considerable time to review.

19 5. Forty-three percent of Facebook’s production to date, comprising documents  
20 important to Plaintiffs’ motion to class certification and ability to defend against summary  
21 judgment, was made after September 30, 2015.

22 6. Attached hereto as **Exhibit 1** is a true and correct copy of Facebook’s  
23 Supplemental Responses and Objections to Plaintiffs’ Request for Production Nos. 54, 55, and  
24 57, which were also served by Facebook on October 28, 2015 close to midnight.

25 7. Facebook’s delay in providing relevant discovery, including by failing to produce  
26 a significant proportion of relevant and responsive documents until October 13, and October 28,  
27 has substantially prejudiced Plaintiffs’ ability to prepare their motion for class certification as  
28

1 well as their opposition to Facebook's anticipated motion for summary judgment, both currently  
2 due November 13, 2015.

3 8. The requested time modification would not affect any other dates currently  
4 scheduled for this case.

5 I declare under penalty of perjury that the foregoing is true and correct and that this  
6 Declaration was signed in San Francisco, California, on October 29, 2015.

7 Dated: October 29, 2015 By: /s/ Michael W. Sobol  
8 Michael W. Sobol

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**ATTESTATION**

15 I, Michael W. Sobol, am the ECF user whose identification and password are being used  
16 to file this document. I hereby attest that David T. Rudolph has concurred in this filing.

18 Dated: October 29, 2015 /s/ Michael W. Sobol  
19 Michael W. Sobol