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11 Attorneys for Defendant  
 FACEBOOK, INC.

12  
 13 UNITED STATES DISTRICT COURT  
 14 NORTHERN DISTRICT OF CALIFORNIA  
 15 OAKLAND DIVISION

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

18 Plaintiffs,

19 v.

20 FACEBOOK, INC.,

21 Defendant.

22  
 23 DAVID SHADPOUR, Individually and on  
 Behalf of All Others Similarly Situated,

24 Plaintiffs,

25 v.

26 FACEBOOK, INC.,

27 Defendant.

Case No. C 13-05996 PJH  
 Case No. C 14-00307 PJH

**CLASS ACTION**

**STIPULATION AND [PROPOSED]  
 ORDER REGARDING PLAINTIFFS'  
 FILING OF CONSOLIDATED AMENDED  
 COMPLAINT AND RELATED CASE  
 DEADLINES**

The Honorable Phyllis J. Hamilton

1 WHEREAS, on December 30, 2013, Plaintiffs Matthew Campbell and Michael Hurley filed  
2 their Complaint in Case No. C 13-05996 PJH (Campbell Dkt. No. 1) (“*Campbell*”);

3 WHEREAS, on January 21, 2014, Plaintiff David Shadpour filed his Complaint in Case No.  
4 C 14-00307 PSG (now Case No. C 14-00307 PJH) (Shadpour Dkt. No. 1) (“*Shadpour*”);

5 WHEREAS, on February 3, 2014, this Court related the *Campbell* and *Shadpour* actions  
6 (Campbell Dkt. No. 15; Shadpour Dkt. No. 8);

7 WHEREAS, Defendant Facebook, Inc.’s (“Facebook”) current deadline to respond to the  
8 *Campbell* Complaint is March 14, 2014 (Campbell Dkt. No. 13);

9 WHEREAS, Facebook’s current deadline to respond to the *Shadpour* Complaint is March 28,  
10 2014 (Shadpour Dkt. No. 7);

11 WHEREAS, the Plaintiffs in *Campbell* (Matthew Campbell and Michael Hurley) and the  
12 Plaintiff in *Shadpour* (David Shadpour) are referred to herein collectively as “Plaintiffs”;

13 WHEREAS, Plaintiffs intend to jointly file a motion to consolidate *Campbell* and *Shadpour*  
14 and to appoint interim class counsel pursuant to Fed. R. Civ. P. 23(g) by March 21, 2014;

15 WHEREAS, Plaintiffs intend to file a Consolidated Amended Complaint, which will  
16 supersede Plaintiffs’ existing Complaints in the *Campbell* and *Shadpour* actions, within 30 days of  
17 this Court’s order on Plaintiffs’ motion to consolidate *Campbell* and *Shadpour* and to appoint interim  
18 class counsel;

19 WHEREAS, this Court previously scheduled an Initial Case Management Conference for the  
20 *Campbell* and *Shadpour* actions for April 3, 2014 at 2:00 p.m., with certain deadlines preceding the  
21 Case Management Conference as set forth in Campbell Dkt. No. 4 and Shadpour Dkt. No. 11: Meet  
22 and confer regarding initial disclosures, early settlement, ADR selection process, discovery plan, and  
23 ADR filings (March 13, 2014 – three weeks before the CMC) and the filing of a case management  
24 statement (March 27, 2014 – one week before the CMC);

25 WHEREAS, in order to streamline the management of this case and maximize efficiency, the  
26 parties have conferred and agreed to stipulate to the deadlines for (1) Plaintiffs’ filing of their motion  
27 to consolidate *Campbell* and *Shadpour* and to appoint interim class counsel, (2) Plaintiffs’ filing of  
28 their Consolidated Amended Complaint, and (3) Facebook’s response to the Consolidated Amended

1 Complaint; and

2 WHEREAS, the parties also have conferred and agreed that the April 3, 2014 Case  
3 Management Conference and the deadlines that precede it should be continued to a future date after  
4 Plaintiffs have filed their Consolidated Amended Complaint.

5 THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between counsel, and  
6 subject to the approval of this Court, that:

- 7 1. Plaintiffs shall jointly file a motion to consolidate *Campbell* and *Shadpour* and to  
8 appoint interim class counsel pursuant to Fed. R. Civ. P. 23(g) by March 21, 2014;
- 9 2. Plaintiffs shall file their Consolidated Amended Complaint within thirty (30) days of  
10 this Court's order on Plaintiffs' motion to consolidate *Campbell* and *Shadpour* and to  
11 appoint interim class counsel;
- 12 3. Facebook shall have forty-five (45) days from the date Plaintiffs file their  
13 Consolidated Amended Complaint to answer or otherwise respond to the Complaint;
- 14 4. The March 14, 2014 deadline for Facebook to respond to the *Campbell* complaint and  
15 the March 28, 2014 deadline for Facebook to respond to the *Shadpour* complaint are  
16 vacated; and
- 17 5. The April 3, 2014 Initial Case Management Conference and the dates that precede it  
18 (as set forth in *Campbell* Dkt. No. 4 and *Shadpour* Dkt. No. 11) are continued to future  
19 dates. If Facebook files a motion to dismiss and/or strike Plaintiffs' Consolidated  
20 Amended Complaint, the Case Management Conference shall be on the same date as  
21 the hearing on Facebook's motion. Additionally, the pre-CMC deadlines set forth in  
22 *Campbell* Dkt. No. 4 and *Shadpour* Dkt. No. 11 are continued as follows: The  
23 existing March 13 deadlines are continued to 3 weeks before the date of the continued  
24 Case Management Conference, and the existing March 27 deadlines are continued to 1  
25 week before the date of the continued Case Management Conference.

26  
27 Respectfully submitted,

28 DATED: March 6, 2014

GIBSON, DUNN & CRUTCHER LLP

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By: \_\_\_\_\_/s/  
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(Case No. C 13-05996 PJH)  
(Case No. C 14-00307 PJH)

DATED: March 6, 2014

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By: \_\_\_\_\_/s/  
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(Case No. C 13-05996 PJH)

DATED: March 6, 2014

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Attorneys for Plaintiff DAVID SHADPOUR

(Case No. C 14-00307 PJH)

1 **ATTORNEY ATTESTATION**

2 Pursuant to Civil Local Rule 5-1, I, Joshua A. Jessen, hereby attest that concurrence in the  
3 filing of this document has been obtained from Michael W. Sobol and Jon A. Tostrud.

4  
5 DATED: March 6, 2014

GIBSON, DUNN & CRUTCHER LLP

6  
7 By: \_\_\_\_\_/s/\_\_\_\_\_  
8 JOSHUA A. JESSEN

9 Attorneys for Defendant FACEBOOK, INC.  
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1 **[PROPOSED] ORDER**

2 Having considered the parties' Stipulation, and good cause appearing, the Court hereby  
3 GRANTS the parties' Stipulation. It is HEREBY ORDERED that:

- 4 1. Plaintiffs shall jointly file a motion to consolidate *Campbell* and *Shadpour* and to  
5 appoint interim class counsel pursuant to Fed. R. Civ. P. 23(g) by March 21, 2014;
- 6 2. Plaintiffs shall file their Consolidated Amended Complaint within thirty (30) days of  
7 this Court's order on Plaintiffs' motion to consolidate *Campbell* and *Shadpour* and to  
8 appoint interim class counsel;
- 9 3. Facebook shall have forty-five (45) days from the date Plaintiffs file their  
10 Consolidated Amended Complaint to answer or otherwise respond to the Complaint;
- 11 4. The March 14, 2014 deadline for Facebook to respond to the *Campbell* complaint and  
12 the March 28, 2014 deadline for Facebook to respond to the *Shadpour* complaint are  
13 vacated; and
- 14 5. The April 3, 2014 Initial Case Management Conference and the dates that precede it  
15 (as set forth in *Campbell* Dkt. No. 4 and *Shadpour* Dkt. No. 11) are continued to future  
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18 the hearing on Facebook's motion. Additionally, the pre-CMC deadlines set forth in  
19 *Campbell* Dkt. No. 4 and *Shadpour* Dkt. No. 11 are continued as follows: The  
20 existing March 13 deadlines are continued to 3 weeks before the date of the continued  
21 Case Management Conference, and the existing March 27 deadlines are continued to 1  
22 week before the date of the continued Case Management Conference.

23 PURSUANT TO STIPULATION, IT IS SO ORDERED.

24  
25 DATED: \_\_\_\_\_

26 \_\_\_\_\_  
27 The Honorable Phyllis J. Hamilton  
28 United States District Court Judge