

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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. C 13-05996 PJH (MEJ)

**[PROPOSED] ORDER GRANTING
ADMINISTRATIVE MOTION TO FILE
UNDER SEAL PORTIONS OF
DEFENDANTS' OPPOSITION TO
PLAINTIFFS' MOTION FOR CLASS
CERTIFICATION AND SUPPORTING
DOCUMENTS**

Judge: Honorable Phyllis J. Hamilton

On January 15, 2016, Defendant Facebook, Inc. filed an administrative motion to file under seal documents related to Defendant's opposition to Plaintiffs' Motion for Class Certification (Dkt. No. 147, 162). Facebook submitted a declaration in support of that administrative motion on January 15, 2016 and January 22, 2016. (Dkt. No. 147-1, 162-1). Plaintiffs submitted a declaration in support of that administrative motion on January 22, 2016. Having considered Defendant Facebook, Inc.'s administrative motion to file under seal, all materials submitted in support thereof, and other records on file, the Court hereby GRANTS the administrative motion to file under seal. Therefore, the following documents may be filed under seal:

1 The Court authorizes the filing under seal of the following documents in their entirety:
 2 Exhibits A, N, Q, S, T, U, V, and FF-HH to the Declaration of Christopher Chorba in support of
 3 Defendant’s Opposition to Plaintiffs’ Motion for Class Certification (Dkt. No 162-3, previously
 4 Dkt. No. 149-1). The Court authorizes the filing under seal of lines 3:20-24, and 6:11-26 of
 5 Exhibit O; lines 3:18-21; 6:9-18 of Exhibit P; the text between “contained” and “detailed” on
 6 page 1 of Exhibit R; the tables on pages 3-5 of Exhibit W, except for the heading and numbering
 7 of each row; lines 8, 11, and 15, of page App. 2079 of Defendant’s Appendix of Evidence (Dkt.
 8 No. 162-9); and lines 2:16-19 at the Index of Defendant’s Appendix of Evidence (Dkt. 162-10).

9 The Court further authorizes the filing under seal of portions of (1) the Chorba
 10 Declaration, (2) Defendant’s Opposition to Plaintiffs’ Motion for Class Certification (Dkt. No.
 11 149), (3) the Expert Witness Report of Catherine Tucker (Dkt. No. 162-7, previously Dkt. No.
 12 149-7), and (4) Defendant’s Appendix of Evidence (Dkt. Nos. 162-9 and 162-10, previously Dkt.
 13 Nos. 155-1, and 156-9), as specified below:

Document	Sealable Portions
Declaration of Christopher Chorba in Support of Facebook’s Opposition to Plaintiffs’ Motion for Class Certification	2:12 2:17 2:22 3:18-19; 3:20-21; 4:1-2; 4:3-7 5:16-20; 5:23-25 12:14, 16, 18
Defendant’s Opposition to Plaintiffs’ Motion for Class Certification	2:17-18 2:24-26 4:12-13 (to “Counsel”) 7:22 11:19-22; 20:12-13, 17-20; 29:3-14 16:3-4, 14-24, 26 21:15-19 23:7-10 (figure) 26:10-12

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Document	Sealable Portions
Expert Witness Report of Catherine Tucker	11, ¶ 32; 12 (figure); 12, ¶ 33; 13 (figure); 14, ¶ 34, lines 3-6; 14, n.25, 14, n.27; 16, n.32; 20, ¶ 48-21, line 4; 21, n.43; 22, ¶ 52, 22, ¶ 53; 23, ¶ 54 ;23, figure; 29, ¶ 70; 30, figure; 31, figure; 31, n.63; 32, ¶ 72; 32, n.64; 32, n.6545, lines 6-10, n.119; 52, ¶ 121; 45 18, ¶ 45-19, line 2; 19, line 4; 19, n.39; 19, n.40 24, ¶ 56 23, n.46; 24, ¶ 57, 24, n.54-56
Exhibit L (Excerpts from the deposition of Plaintiff Matthew Campbell)	19:2-8 44:8-9, 19-21, 24-25; 45:1; 63:8, 22-23; 71:4-5; 72:20; 178:15, 25; 222:13; 223:4-5; 270:15 20:19; 62:4-10, 13; 100:2-6; 101:13; 203:13-14; 203:14; 225:5-24; 226:2, 10, 19-20, 24-25; 230:2-4, 18-25; 232:3-6, 13-15, 18-19; 240:2, 8-11; 241:5-6, 12, 17, 20-23; 242:8-13, 18, 25; 250:14, 23-25; 251:2, 6-7, 18, 24; 252:6, 14, 19, 24; 254:8, 15, 19; 255:2, 9, 13, 15, 17, 19-20; 256:3, 14, 17; 257:11-19, 25 105:24; 106:9, 15-16; 217:1
Exhibit M (Excerpts from the deposition of Plaintiff Michael Hurley)	117:2-22; 118:9-24; 120:4-8; 120:14-121:20; 124:13-125:25; 129:5-133:23; 136:6-14, 23-24; 137:1-137:14 92:10-22; 103:3-7 ; 103:10-12; 103:18-19; 106:12-107:12; 111:16-112:2; 115:10-24

It is so ORDERED.

Dated: _____

Phyllis J. Hamilton
United States District Judge