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14			
15	UNITED STATES DISTRICT COURT		
16	NORTHERN DISTRICT OF CALIFORNIA		
17	OAKLAND DIVISION		
18			
19	MATTHEW CAMPBELL and MICHAEL HURLEY, on behalf of themselves and all	Case No. C 13-05996 PJH (MEJ)	
20	others similarly situated,	DECLARATION OF MELISSA GARDNER IN SUPPORT OF PLAINTIFFS'	
21	Plaintiff,	ADMINISTRATIVE MOTION TO FILE UNDER SEAL RE RESPONSE TO	
22	v.	DEFENDANT'S "OBJECTION TO AND REQUEST TO STRIKE NEW EVIDENCE	
23	FACEBOOK, INC.,	AND MISSTATEMENTS OF FACT"	
24	Defendant.	Judge: Honorable Phyllis J. Hamilton	
25			
26			
27			
28			
		DECL. OF MELISSA GARDNER ISO MOTION TO SEAL CASE NO. 13-CV-05996-PJH (MEJ)	
		CASE NO. 13-C V-03990-F1ft (MEJ)	

1	I, Melissa Gardner, declare:	
2	I am an attorney in the law firm of Lieff, Cabraser, Heimann & Bernstein, LLP, a membe	
3	of the State Bar of California, and am admitted to practice before the United States District Court	
4	for the Northern District of California. I am one of the counsel for Plaintiffs in this action. I	
5	make this declaration based on my own personal knowledge. If called upon to testify, I could an	
6	would testify competently to the truth of the matters stated herein.	
7	1. I submit this Declaration in Support of Plaintiffs' Administrative Motion to File	
8	Under Seal in connection with Plaintiffs' Response to Defendant's Objection to and Request to	
9	Strike New Evidence and Misstatements of Fact ("Response").	
10	2. Attached hereto as Exhibit A is a true and correct copy of the unredacted version	
11	of the Response. Highlighted text in Exhibit A is text that Plaintiffs propose to redact on the	
12	grounds that such text contains information that Defendant (the designating party) has designated	
13	"HIGHLY CONFIDENTIAL" or "HIGHLY CONFIDENTIAL – ATTORNEYS' EYES ONLY.	
14	3. Attached hereto as Exhibit B is a true and correct copy of a redacted version of the	
15	Response. Redacted text in Exhibit B is text that Plaintiffs propose to redact on the grounds that	
16	such text contains information that Defendant (the designating party) has designated "HIGHLY	
17	CONFIDENTIAL" or "HIGHLY CONFIDENTIAL – ATTORNEYS' EYES ONLY."	
18	4. Plaintiffs take no position on whether the text of the Response designated for	
19	redaction satisfies the requirements for sealing. Plaintiffs specifically reserve the right to	
20	challenge any "HIGHLY CONFIDENTIAL" or "HIGHLY CONFIDENTIAL – ATTORNEYS'	
21	EYES ONLY" designation under the Stipulated Protective Order as well as the sealability of	
22	these documents under Civil Local Rule 79-5.	
23	I declare under penalty of perjury under the laws of the United States that the foregoing is	
24	true and correct.	
25	Executed this 9th day of March, 2016, in San Francisco, California.	
26	LIEFF CABRASER HEIMANN & BERNSTEIN, LLP	
27		
28	By: <u>/s/Melissa Gardner</u> Melissa Gardner	