

EXHIBIT R

April 10, 2015

VIA E-MAIL

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RE: *Campbell v. Facebook, Inc.*, N.D. Cal. Case No. 13-cv-05996-PJH

Dear Josh:

I write in response to your April 7, 2015 letter regarding Plaintiffs' interrogatory responses.

Plaintiffs' Responses to Interrogatory No. 3

As is evident from the responses themselves, Plaintiffs devoted significant time and effort to providing detailed responses to Facebook's Interrogatory No. 3. Indeed, Mr. Campbell's response contained over 800 detailed entries listing the sender, recipient, date and time, and URL associated with each Facebook message.

While Facebook's demands for even more detailed information are burdensome and harassing, in the interest of compromise Plaintiffs will provide more detailed information for the senders and/or recipients of the relevant Facebook messages. While Plaintiffs will make every effort to provide this information expeditiously, given the work-intensive nature of the responses Facebook seeks and the numbers of senders and recipients involved, Plaintiffs cannot commit to providing this information by a date certain of April 14.

Plaintiffs' Responses to Interrogatory No. 5

Plaintiffs maintain their general and specific objections to this Interrogatory. Additionally, Facebook's demand for "all facts" is vague, overly broad, inherently burdensome,

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seeks irrelevant information, and is in principle unanswerable. *See Haggarty v. Wells Fargo Bank, N.A.*, No. 10-2416 CRB JSC, 2012 U.S. Dist. LEXIS 133375, at *2 (N.D. Cal. Sept. 18, 2012) (“While contention interrogatories are permitted, they ‘are often overly broad and unduly burdensome when they require a party to state ‘every fact’ or ‘all facts’ supporting identified allegations or defenses.’”) (quoting *Mancini v. Ins. Corp. of New York*, No. 07-1750 L NLS, 2009 U.S. Dist. LEXIS 51321, at *9 (S.D. Cal. June 18, 2009)).

Subject to and without waiving these objections, Plaintiffs supplement their responses to Facebook’s Interrogatory No. 5 as follows:

1. **Mr. Campbell:** Mr. Campbell first learned of the facts concerning Facebook’s scanning of private messages in the manner alleged in the complaint on October 30, 2013 upon receipt of a private message sent via Facebook by David Slade. Mr. Campbell was not aware of Facebook’s scanning of private messages in the manner alleged in the complaint prior to learning of those facts from Mr. Slade.
2. **Mr. Hurley:** Mr. Hurley first learned of the facts concerning Facebook’s scanning of private messages in the manner alleged in the complaint in or around mid-December 2013 during a telephone conversation with Melissa Gardner. Mr. Hurley was not aware of Facebook’s scanning of private messages in the manner alleged in the complaint prior to learning of those facts from Ms. Gardner.
3. **Mr. Shadpour:** Mr. Shadpour first learned of the facts concerning Facebook’s scanning of private messages in the manner alleged in the complaint in or around October or November 2013 during a telephone conversation with Lesley Portnoy. Mr. Shadpour was not aware of Facebook’s scanning of private messages in the manner alleged in the complaint prior to learning of those facts from Mr. Portnoy.

Plaintiffs’ Responses to Facebook’s Contention Interrogatories (Interrogatory Nos. 6 & 7; Plaintiff Campbell’s Responses to Interrogatory Nos. 9, 10, 11, 12 and 13; Plaintiff Shadpour’s Responses to Interrogatory Nos. 9, 10, and 11)

We disagree with Facebook’s assertion that it is entitled to more detailed responses to its contention interrogatories at this stage in the case, before any substantive discovery has taken place. Given that Facebook has yet to produce a single non-public document or a single line of source code, discovery in this case has only just begun and is nowhere near substantial, let alone substantially complete. We agree that it is appropriate for the parties to meet and confer regarding Plaintiffs’ responses to Facebook’s contention interrogatories. Please provide us times during which you are available to meet and confer.

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Sincerely,

A handwritten signature in black ink, appearing to read 'DTR', with a long, sweeping flourish extending to the right.

David T. Rudolph

DTR/wp

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