

EXHIBIT P

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1 Michael W. Sobol (State Bar No. 194857)
msobol@lchb.com
2 David T. Rudolph (State Bar No. 233457)
drudolph@lchb.com
3 Melissa Gardner (State Bar No. 289096)
mgardner@lchb.com
4 LIEFF CABRASER HEIMANN & BERNSTEIN, LLP
275 Battery Street, 29th Floor
5 San Francisco, CA 94111-3339
Telephone: 415.956.1000
6 Facsimile: 415.956.1008

7 Rachel Geman
rgeman@lchb.com
8 Nicholas Diamand
ndiamand@lchb.com
9 LIEFF CABRASER HEIMANN & BERNSTEIN, LLP
250 Hudson Street, 8th Floor
10 New York, NY 10013-1413
Telephone: 212.355.9500
11 Facsimile: 212.355.9592

12 Hank Bates (State Bar No. 167688)
hbates@cbplaw.com
13 Allen Carney
acarney@cbplaw.com
14 David Slade
dslade@cbplaw.com
15 CARNEY BATES & PULLIAM, PLLC
11311 Arcade Drive
16 Little Rock, AR 72212
Telephone: 501.312.8500
17 Facsimile: 501.312.8505

18 *Attorneys for Plaintiffs and the Proposed Class*

19
20 UNITED STATES DISTRICT COURT
21 NORTHERN DISTRICT OF CALIFORNIA
22 OAKLAND DIVISION

23 MATTHEW CAMPBELL, MICHAEL
24 HURLEY, and DAVID SHADPOUR,

25 Plaintiffs,

26 v.

27 FACEBOOK, INC.,

28 Defendant.

Jeremy A. Lieberman
Lesley F. Portnoy
info@pomlaw.com
POMERANTZ, LLP
600 Third Avenue, 20th Floor
New York, New York 10016
Telephone: 212.661.1100
Facsimile: 212.661.8665

Patrick V. Dahlstrom
pdahlstrom@pomlaw.com
POMERANTZ, LLP
10 S. La Salle Street, Suite 3505
Chicago, Illinois 60603
Telephone: 312.377.1181
Facsimile: 312.377.1184

Case No. C 13-05996 PJH

**PLAINTIFF MICHAEL HURLEY'S
OBJECTIONS AND RESPONSES TO
DEFENDANT FACEBOOK, INC.'S
FIRST SET OF INTERROGATORIES**

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1 PROPOUNDING PARTY: FACEBOOK, INC.

2 RESPONDING PARTY: MICHAEL HURLEY, on behalf of himself and all
3 others similarly situated

4 SET NO.: ONE (1)

5 Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure, Plaintiff Michael
6 Hurley hereby serves his objections and responses to Defendant Facebook Inc.'s First Set of
7 Interrogatories ("Interrogatories"). These responses are designated "Confidential" under the terms
8 of the draft of the Stipulated Protective Order sent by Plaintiffs to Defendant on March 11, 2015.

GENERAL OBJECTIONS

11 1. Plaintiff objects to each of Defendant's Interrogatories to the extent that they,
12 individually or cumulatively, purport to impose on Plaintiff duties and obligations which exceed,
13 or are different, than those imposed on him by the Federal Rules of Civil Procedure or the Local
14 Rules of the Court.

15 2. Plaintiff generally objects to each Interrogatory to the extent it purports to seek
16 information covered by the attorney-client privilege, the work product privilege, or any other
17 applicable privilege or immunity. Plaintiff further objects to each Interrogatory to the extent that
18 it seeks information prepared in anticipation of litigation or for trial of this or any matter.
19 Plaintiff will provide any information that he believes is non-privileged and is otherwise properly
20 discoverable. By providing such information, Plaintiff does not waive any privileges. To the
21 extent that an Interrogatory may be construed as seeking such privileged or protected information
22 or documents, Plaintiff hereby claims such privilege and invokes such protection. The fact that
23 Plaintiff does not specifically object to an individual Interrogatory on the ground that it seeks
24 such privileged or protected information shall not be deemed a waiver of the protection afforded
25 by the attorney-client privilege, the attorney work product doctrine, or any other applicable
26 privilege or protection.

27 3. Plaintiff and Plaintiff's counsel have not completed their investigation of the facts
28 related to this case and have not completed their preparation for trial. Thus, the following

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1 responses are based on discovery and investigations that are ongoing and not yet complete.

2 Plaintiff reserves the right to update, amend or supplement these responses. These responses are
3 made without prejudice to Plaintiff's right to utilize subsequently discovered evidence at trial or
4 in connection with pretrial proceedings, or to amend these responses in the event that any
5 information is subsequently acquired or learned by Plaintiff or inadvertently omitted in these
6 responses.

7 4. Plaintiff generally objects to each Interrogatory to the extent that it is vague and/or
8 ambiguous. Where possible, however, Plaintiff will make reasonable assumptions as to
9 Defendant's intended meaning and will respond accordingly, while preserving his objections as to
10 vagueness, ambiguity, and uncertainty.

11 5. Plaintiff objects to each Interrogatory or Instruction which seeks information that
12 is neither relevant nor material to the subject matter of this action, nor reasonably calculated to
13 lead to the discovery of admissible evidence.

14 6. Plaintiff objects to each Interrogatory which seeks identification of facts not in
15 Plaintiff's possession, custody or control.

16 7. Plaintiff objects to each Interrogatory to the extent it requires the production of
17 information already produced to Defendant or within the possession, custody or control of third
18 parties or public records, and therefore equally available to Defendant.

19 8. Plaintiff asserts these objections without waiving or intending to waive any
20 objections as to competency, relevancy, materiality, or privilege.

21 9. Plaintiff objects to each Interrogatory to the extent that it calls for a legal
22 conclusion.

23 10. Plaintiff states these objections without waiving or intending to waive, but on the
24 contrary preserving and intending to preserve:

25 a. all objections to genuineness, foundation, competency, relevancy,
26 materiality, privilege and admissibility as evidence for any purpose of materials produced in
27 response to the Interrogatories, or subject matter thereof, in any subsequent proceeding in, or the
28 trial of, this or any action;

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1 b. the right to object on any permissible ground to the use of any materials, or
2 the subject matter thereof, in any subsequent proceeding in, or the trial of, this or any other
3 action; and

4 c. the right to object on any basis permitted by law to any other discovery
5 request or proceeding involving or relating to the subject matter of these objections.

RESPONSES TO DEFENDANT'S FIRST SET OF INTERROGATORIES

INTERROGATORY NO. 1:

8 IDENTIFY all FACEBOOK accounts YOU have ever established or used, including, for
9 each account: (a) YOUR username; (b) the name YOU provided to FACEBOOK in setting up
10 the account; (c) the e-mail address that YOU associated with the account; (d) the mobile
11 telephone number(s) that YOU associated with the account; (e) the date YOUR account was
12 established; and (f) the date YOUR account was disabled, suspended, or deleted (if applicable).

RESPONSE TO INTERROGATORY NO. 1:

14 Plaintiff incorporates and references herein all of the General Objections. Plaintiff objects
15 to this Interrogatory as overly broad and unduly burdensome. Plaintiff further objects to the
16 extent this Interrogatory seeks information protected by Plaintiff's right to privacy. Subject to
17 and without waiver of the foregoing objections, Plaintiff states as follows:

18 Plaintiff's Facebook username is [REDACTED]. Plaintiff provided Facebook with
19 the name Michael Hurley. Plaintiff associated the email address [REDACTED] with
20 the account. Plaintiff has not associated a mobile phone number with the account. Plaintiff's
21 account was established on October 17, 2008. It has not been disabled.

INTERROGATORY NO. 2:

23 IDENTIFY all facts regarding all messages YOU have sent or received via the
24 FACEBOOK MESSAGES PRODUCT, including, for each message: (a) the date the message
25 was sent; (b) the author of the message; (c) the recipient(s) of the message; (d) the physical
26 location (city and state) where the author was located when the message was sent (or, if unknown,
27 the author's state of residence); (e) the physical location (city and state) where the recipient(s)
28 was located when the message was received (or, if unknown, the recipient's state of residence);

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1 (f) if a URL was included in the message, the name of the URL(s); (g) if a URL was included in
2 the message, whether a “preview” of the website associated with the URL was contained in the
3 message (if known); and (h) if a URL was included in the message, whether the website
4 associated with the URL contained a FACEBOOK social plugin at the time the message was sent
5 (if known).

6 **RESPONSE TO INTERROGATORY NO. 2:**

7 Plaintiff incorporates and references herein all of the General Objections. Plaintiff objects
8 to this Interrogatory as overly broad and unduly burdensome. Plaintiff objects to this
9 Interrogatory insofar as it seeks facts regarding messages that do not contain URLs, and insofar
10 as it seeks the physical location of the sender or recipient of Facebook messages, and therefore
11 does not seek information “that is relevant to the claims or defenses of any party” or “reasonably
12 calculated to lead to the discovery of admissible evidence.” Fed. R. Civ. P. 26(b)(1). Plaintiff
13 further objects to the extent this Interrogatory seeks information protected by Plaintiff’s and/or
14 third parties’ right to privacy. Plaintiff objects that this Interrogatory seeks information already in
15 Defendant’s possession and control. Insofar as it seeks information to be obtained through
16 discovery from Defendant, for example because Facebook possesses information concerning
17 whether it was Facebook’s practice to provide a “preview” for URL’s sent at the times of
18 Plaintiff’s private messages, or whether the websites associated with certain URLs had installed
19 Facebook’s social plug-ins, Plaintiff objects to this Interrogatory as premature. Plaintiff further
20 objects to this Interrogatory as compound. Subject to and without waiver of the foregoing
21 objections, Plaintiff states as follows: Plaintiff’s first production of documents responsive to
22 Request for Production No. 1 in this action identifies private messages containing one or more
23 URLs that Plaintiff has sent or received via the FACEBOOK MESSAGES PRODUCT. The
24 table attached as Exhibit 1 identifies the sender(s), recipient(s), date, time, and URL associated
25 with each such private message.

26 Plaintiff does not recall whether any of the URLs included in private messages that
27 Plaintiff has sent or received via the FACEBOOK MESSAGES PRODUCT contained a
28 “preview” at the time it was sent or received. Plaintiff is not aware of whether the websites

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1 associated with such URLs contained a Facebook plug-in at the time these messages were sent or
2 received.

3 **INTERROGATORY NO. 3:**

4 IDENTIFY all PERSONS YOU have sent messages to or received messages from via the
5 FACEBOOK MESSAGES PRODUCT, including each PERSON'S name, address, and
6 FACEBOOK account username, or if the PERSON was not a FACEBOOK user, the PERSON's
7 mobile telephone number and/or email address from which a message was received or to which a
8 message was sent.

9 **RESPONSE TO INTERROGATORY NO. 3:**

10 Plaintiff incorporates and references herein all of the General Objections. Plaintiff objects
11 to this Interrogatory as overly broad and unduly burdensome. Plaintiff objects to this
12 Interrogatory insofar as it seeks facts regarding messages that do not contain URLs and
13 therefore does not seek information "that is relevant to the claims or defenses of any party" or
14 "reasonably calculated to lead to the discovery of admissible evidence." Fed. R. Civ. P. 26(b)(1).
15 Plaintiff further objects to the extent this Interrogatory seeks information protected by Plaintiff's
16 or third parties' right to privacy. Subject to and without waiver of the foregoing objections,
17 Plaintiff states as follows: Plaintiff's first production of documents responsive to Request for
18 Production No. 1 in this action identifies private messages containing URLs that Plaintiff has sent
19 or received via the FACEBOOK MESSAGES PRODUCT. Plaintiff incorporates by reference
20 the table provided in response to Interrogatory No. 2, which identifies the sender(s), recipient(s),
21 date, time, and URL associated with each such message.

22 **INTERROGATORY NO. 4:**

23 IDENTIFY all facts regarding all EMAIL SERVICES and SOCIAL NETWORKING
24 WEBSITES, including but not limited to applications offered within those SOCIAL
25 NETWORKING WEBSITES, that YOU have used, including, for each, YOUR e-mail address
26 and/or username and the duration (time period) of YOUR use.

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RESPONSE TO INTERROGATORY NO. 4:

Plaintiff incorporates and references herein all of the General Objections. Plaintiff objects to this Interrogatory as overly broad and unduly burdensome. Plaintiff objects to this Interrogatory in that does not seek information “that is relevant to the claims or defenses of any party” or “reasonably calculated to lead to the discovery of admissible evidence.” Fed. R. Civ. P. 26(b)(1). Plaintiff further objects to the extent this Interrogatory seeks information protected by Plaintiff’s or third parties’ right to privacy. Subject to and without waiver of the foregoing objections, Plaintiff states as follows: Plaintiff recalls using the following email services:

Yahoo, username [REDACTED], used from approximately 2005-present.

Netscape, username [REDACTED], used from approximately 1999-2004.

Gmail, username [REDACTED], used from approximately 2012-present.

Gmail, username [REDACTED], used from approximately 2014-present.

Apple iCloud, username [REDACTED], used from approximately 2013-present.

Plaintiff has used the following social networking websites:

MySpace.com, username [REDACTED], from approximately 2005-2007.

Plus.google.com, username [REDACTED].

Upon reasonable investigation, Plaintiff is unable to determine the date the account at Plus.google.com was opened; it remains active today.

Facebook.com as stated in response to Interrogatory No. 1.

INTERROGATORY NO. 5:

IDENTIFY all facts regarding how and when YOU first became aware of FACEBOOK’s alleged conduct referenced in YOUR COMPLAINT.

RESPONSE TO INTERROGATORY NO. 5:

Plaintiff incorporates and references herein all of the General Objections. Plaintiff objects to this Interrogatory as overly broad and unduly burdensome. Plaintiff further objects to the extent this Interrogatory purports to seek information covered by the attorney-client privilege or the work product privilege. Subject to and without waiver of the foregoing objections, Plaintiff states as follows: Plaintiff first became aware that Facebook scans private messages containing URLs in

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1 or around December 2013 during a telephone conversation with Melissa Gardner, in connection
2 with counsel's investigation of this case.

3 **INTERROGATORY NO. 6:**

4 IDENTIFY all facts that support YOUR claim that YOU, other Plaintiffs in this ACTION,
5 and/or putative class members suffered harm and/or damage as a result of YOUR use of the
6 FACEBOOK MESSAGES PRODUCT, including but not limited to IDENTIFYING all facts
7 describing how YOU, Plaintiffs, and/or putative class members were harmed.

8 **RESPONSE TO INTERROGATORY NO. 6:**

9 Plaintiff incorporates and references herein all of the General Objections. Plaintiff objects
10 to this Interrogatory as overly broad and unduly burdensome. Plaintiff objects to this
11 Interrogatory on the grounds that it is untimely and premature because discovery in this action is
12 ongoing with substantial discovery yet to occur. Plaintiff objects that Plaintiff has not completed
13 his discovery or investigation of facts relating to this matter, and has not completed preparation
14 for trial, and therefore, this interrogatory is premature, improper, burdensome, oppressive,
15 harassing, and abusive of the discovery process to the extent that it calls for the disclosure of all
16 facts that support the contentions and allegations in the Complaint. *See* Fed. R. Civ. P.
17 33(a)(2) (“the court may order that [contention interrogatories] need not be answered until
18 designated discovery is complete, or until a pretrial conference or some other time.”). Plaintiff
19 further objects to this Interrogatory on the grounds that it is premature, as this Interrogatory may
20 be the subject of expert testimony, to be disclosed at a later date in accordance with the time set
21 by the Court for such disclosures. Subject to and without waiver of the foregoing objections,
22 Plaintiff states as follows: Plaintiff refers to the entirety of the operative Complaint, including but
23 not limiting the following allegations Paragraphs 38, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57
24 and 58.

25 **INTERROGATORY NO. 7:**

26 Separately for YOURSELF and the putative class, IDENTIFY all facts regarding the
27 damages and/or all other monetary relief that YOU and the putative class claim in this ACTION.
28

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RESPONSE TO INTERROGATORY NO. 7:

Plaintiff incorporates and references herein all of the General Objections. Plaintiff objects to this Interrogatory as overly broad and unduly burdensome. Plaintiff objects to this Interrogatory on the grounds that it is untimely and premature because discovery in this action is ongoing with substantial discovery yet to occur. Plaintiff objects that Plaintiff has not completed his discovery or investigation of facts relating to this matter, and has not completed preparation for trial, and therefore, this Interrogatory is premature, improper, burdensome, oppressive, harassing, and abusive of the discovery process to the extent that it calls for the disclosure of all facts that support the contentions and allegations in the Complaint. Plaintiff further objects to this Interrogatory on the grounds that it is premature, as this Interrogatory may be the subject of expert testimony, to be disclosed at a later date in accordance with the time set by the Court for such disclosures. Subject to and without waiver of the foregoing objections, Plaintiff states as follows: *See* Plaintiff's responses to Interrogatories No. 2 and 6.

INTERROGATORY NO. 8:

IDENTIFY all facts regarding all putative class action proceedings in which YOU have been involved, including but not limited to YOUR role in the proceeding (plaintiff, defendant, witness), the claims and defenses raised in each proceeding, the court or other tribunal in which the proceeding occurred, the judicial officer or arbitrator(s) who presided over the proceeding, the case number, the parties to the proceeding, a summary of the testimony and/or DOCUMENTS YOU provided (if any), an identification of YOUR counsel for each proceeding, and the disposition and relief awarded.

RESPONSE TO INTERROGATORY NO. 8:

Plaintiff incorporates and references herein all of the General Objections. Plaintiff further objects that the Interrogatory seeks irrelevant information. Subject to and without waiver of the foregoing objections, Plaintiff states as follows: Plaintiff has not been involved in any other putative class action proceedings.

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INTERROGATORY NO. 9:

Do YOU contend that the scanning of FACEBOOK messages for the purpose of developing user profiles to support and deliver targeted advertising violates federal law and/or California law?

RESPONSE TO INTERROGATORY NO. 9:

Plaintiff incorporates and references herein all of the General Objections. Plaintiff objects to this Interrogatory on the grounds that the term “scanning” is undefined and is therefore vague; the terms “user profiles” and “targeted advertising” are similarly vague within the context of this Interrogatory. Plaintiff objects to this Interrogatory on the grounds that it is untimely and premature because discovery in this action is ongoing with substantial discovery yet to occur. Plaintiff objects that Plaintiff has not completed his discovery or investigation of facts relating to this matter, and has not completed preparation for trial, and therefore, this Interrogatory is premature, improper, burdensome, oppressive, harassing, and abusive of the discovery process to the extent that it calls for the disclosure of all facts that support the contentions and allegations in the Complaint. *See* Fed. R. Civ. P. 33(a)(2)(“the court may order that [contention interrogatories] need not be answered until designated discovery is complete, or until a pretrial conference or some other time.”). Subject to and without waiver of the foregoing objections, Plaintiff states as follows: As alleged in the operative Complaint, Facebook’s conduct of scanning Plaintiff’s and the putative class members’ messages is a violation of federal and California law.

INTERROGATORY NO. 10:

If YOUR response to Interrogatory No. 9 is anything other than an unqualified “no,” IDENTIFY all facts supporting YOUR response.

RESPONSE TO INTERROGATORY NO. 10:

Plaintiff incorporates and references herein all of the General Objections. Plaintiff objects to this Interrogatory as overly broad and unduly burdensome. Plaintiff objects to this Interrogatory on the grounds that it is untimely and premature because discovery in this action is ongoing with substantial discovery yet to occur. Plaintiff objects that Plaintiff has not completed his discovery or investigation of facts relating to this matter, and has not completed preparation

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1 for trial, and therefore, this Interrogatory is premature, improper, burdensome, oppressive,
2 harassing, and abusive of the discovery process to the extent that it calls for the disclosure of all
3 facts that support the contentions and allegations in the Complaint. *See* Fed. R. Civ. P.
4 33(a)(2)(“the court may order that [contention interrogatories] need not be answered until
5 designated discovery is complete, or until a pretrial conference or some other time.”). Plaintiff
6 further objects to the extent this Interrogatory purports to seek information covered by the
7 attorney-client privilege or the work product privilege.

8 Subject to and without waiver of the foregoing objections, Plaintiff states as follows:
9 Plaintiff refers to the operative Complaint, which identifies the elements of causes of action under
10 the federal Electronic Communications Privacy Act, and Section 631 of the California Penal
11 Code, respectively, as well as identifies which facts Plaintiff contends establish violations of each
12 element of each of these statutes.

13 **INTERROGATORY NO. 11:**

14 IDENTIFY all facts that support YOUR allegation in paragraph 3 of YOUR
15 COMPLAINT that “Facebook primarily generates revenue from targeted advertising and the
16 fundamental means of amassing the user data needed for effective targeted advertising is through
17 Facebook’s ‘Like’ function.”

18 **RESPONSE TO INTERROGATORY NO. 11:**

19 Plaintiff incorporates and references herein all of the General Objections. Plaintiff objects
20 to this Interrogatory as overly broad and unduly burdensome, particularly given that Facebook
21 necessarily has access to its own financial data. Plaintiff objects to this Interrogatory on the
22 grounds that it is untimely and premature because discovery in this action is ongoing with
23 substantial discovery yet to occur. Plaintiff objects that Plaintiff has not completed his discovery
24 or investigation of facts relating to this matter, and has not completed preparation for trial, and
25 therefore, this Interrogatory is premature, improper, burdensome, oppressive, harassing, and
26 abusive of the discovery process to the extent that it calls for the disclosure of all facts that
27 support the contentions and allegations in the Complaint. *See* Fed. R. Civ. P. 33(a)(2)(“the court
28 may order that [contention interrogatories] need not be answered until designated discovery is

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1 complete, or until a pretrial conference or some other time.”). Plaintiff further objects to this
2 Interrogatory on the grounds that it is premature, as this Interrogatory may be the subject of
3 expert testimony, to be disclosed at a later date in accordance with the time set by the Court for
4 such disclosures. Plaintiff further objects to the extent this Interrogatory purports to seek
5 information covered by the attorney work product privilege. Subject to and without waiver of the
6 foregoing objections, Plaintiff states as follows:

7 Facebook admits in its Answer to paragraphs 3 and 49 of Plaintiffs’ Complaint that it
8 generates revenue from targeted advertising. *See also* Facebook’s Form 10-k for the fiscal year
9 ended December 31, 2014, at page 10, in which Facebook represents, “The substantial majority of
10 our revenue is currently generated from third parties advertising on Facebook. For 2014, 2013,
11 and 2012, advertising accounted for 92%, 89% and 84%, respectively, of our revenue.”
12 (Securities and Exchange Commission, *Facebook, Inc. Form 10-k*, (Fiscal Year ended December
13 31, 2014), [http://www.sec.gov/Archives/edgar/data/1326801/000132680115000006/fb-](http://www.sec.gov/Archives/edgar/data/1326801/000132680115000006/fb-12312014x10k.htm)
14 [12312014x10k.htm](http://www.sec.gov/Archives/edgar/data/1326801/000132680115000006/fb-12312014x10k.htm) (last visited February 20, 2015)); *see also* paragraph 49 of the operative
15 Complaint, which cites to Facebook’s Data Use Policy, Section IV, *How Advertising and*
16 *Sponsored Stories Work* (updated Dec. 11, 2012).

17 **INTERROGATORY NO. 12:**

18 IDENTIFY all facts that support YOUR allegation in paragraph 25 of YOUR
19 COMPLAINT that “whenever a private message contains a URL, Facebook uses a software
20 application called a ‘web crawler’ to scan the URL, sending HTTP requests to the server
21 associated with the URL and then seeking various items of information about the web page to
22 which the URL is linked.”

23 **RESPONSE TO INTERROGATORY NO. 12:**

24 Plaintiff incorporates and references herein all of the General Objections. Plaintiff objects
25 to this Interrogatory as overly broad and unduly burdensome, particularly given that Facebook
26 necessarily has access to its own technical data. Plaintiff objects to this Interrogatory on the
27 grounds that it is untimely and premature because discovery in this action is ongoing with
28 substantial discovery yet to occur. Plaintiff objects that Plaintiff has not completed his discovery

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1 or investigation of facts relating to this matter, and has not completed preparation for trial, and
2 therefore, this Interrogatory is premature, improper, burdensome, oppressive, harassing, and
3 abusive of the discovery process to the extent that it calls for the disclosure of all facts that
4 support the contentions and allegations in the Complaint. *See* Fed. R. Civ. P. 33(a)(2) (“the court
5 may order that [contention interrogatories] need not be answered until designated discovery is
6 complete, or until a pretrial conference or some other time.”). Plaintiff further objects to this
7 Interrogatory on the grounds that it is premature, as this Interrogatory may be the subject of
8 expert testimony, to be disclosed at a later date in accordance with the time set by the Court for
9 such disclosures. Subject to and without waiver of the foregoing objections, Plaintiff states as
10 follows: Plaintiff refers to the following articles cited in the operative Complaint: Hi-Tech
11 Bridge, *Social Networks: Can Robots Violate User Privacy?* (Aug. 27, 2013) (last visited March
12 26, 2015),
13 https://www.htbridge.com/news/social_networks_can_robots_violate_user_privacy.html,
14 Molly McHugh, *Facebook Scans Private Messages for Brand Page Mentions, Admits a Bug Is*
15 *Boosting Likes*, Digital Trends (Oct. 4, 2012) (last visited March 26, 2015),
16 <http://www.digitaltrends.com/social-media/facebook-scans-private-messages/>, Jennifer
17 Valentino-DeVries et al., *How Private Are Your Private Facebook Messages?*, Wall St. J., (Oct.
18 3, 2012), <http://blogs.wsj.com/digits/2012/10/03/how-private-are-your-private-messages/> (last
19 visited March 26, 2015).

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1 Dated: April 1, 2015

LIEFF CABRASER HEIMANN & BERNSTEIN, LLP

2
3 By: /s/ Michael W. Sobol
4 Michael W. Sobol

5 Michael W. Sobol (State Bar No. 194857)
msobol@lchb.com
6 David T. Rudolph (State Bar No. 233457)
drudolph@lchb.com
7 Melissa Gardner (State Bar No. 289096)
mgardner@lchb.com
8 LIEFF CABRASER HEIMANN & BERNSTEIN, LLP
275 Battery Street, 29th Floor
9 San Francisco, CA 94111-3339
Telephone: 415.956.1000
10 Facsimile: 415.956.1008

11 Rachel Geman
rgeman@lchb.com
12 Nicholas Diamand
ndiamand@lchb.com
13 LIEFF CABRASER HEIMANN & BERNSTEIN, LLP
250 Hudson Street, 8th Floor
14 New York, NY 10013-1413
Telephone: 212.355.9500
15 Facsimile: 212.355.9592

16 Hank Bates (State Bar No. 167688)
hbates@cbplaw.com
17 Allen Carney
acarney@cbplaw.com
18 David Slade
dslade@cbplaw.com
19 CARNEY BATES & PULLIAM, PLLC
11311 Arcade Drive
20 Little Rock, AR 72212
Telephone: 501.312.8500
21 Facsimile: 501.312.8505

22 Jeremy A. Lieberman
info@pomlaw.com
23 POMERANTZ, LLP
600 Third Avenue, 20th Floor
24 New York, NY 10016
Telephone: 212.661.1100
25 Facsimile: 212.661.8665

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28

Patrick V. Dahlstrom
pdahlstrom@pomlaw.com
POMERANTZ, LLP
10 S. La Salle Street, Suite 3505
Chicago, IL 60603
Telephone: 312.377.1181
Facsimile: 312.377.1184

Jon Tostrud (State Bar No. 199502)
jtostrud@tostrudlaw.com
TOSTRUD LAW GROUP, PC
1925 Century Park East, Suite 2125
Los Angeles, CA 90067
Telephone: 310.278.2600
Facsimile: 310.278.2640

Attorneys for Plaintiffs and the Proposed Class

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PROOF OF SERVICE

1
2 I am a citizen of the United States and employed in San Francisco County, California. I
3 am over the age of eighteen years and not a party to the within-entitled action. My business
4 address is 275 Battery Street, 29th Floor, San Francisco, California 94111-3339.

5 I am readily familiar with Lieff, Cabraser, Heimann & Bernstein, LLP's practice for
6 collection and processing of documents for service via email, and that practice is that the
7 documents are attached to an email and sent to the recipient's email account.

8 I am also readily familiar with this firm's practice for collection and processing of
9 correspondence for mailing with the United States Postal Service. Following ordinary business
10 practices, the envelope was sealed and placed for collection and mailing on this date, and would,
11 in the ordinary course of business, be deposited with the United States Postal Service on this date.

12 On April 1, 2015, I caused to be served copies of the following documents:

- 13
14 **1. PLAINTIFF MICHAEL HURLEY'S OBJECTIONS AND**
RESPONSES TO DEFENDANT FACEBOOK, INC.'S FIRST
SET OF INTERROGATORIES; and this
15
16 **2. PROOF OF SERVICE BY EMAIL AND U.S. MAIL**

17 on Defendant in this action through their counsel:

18 Christopher Chorba
19 Gibson, Dunn & Crutcher LLP
333 South Grand Avenue
20 Los Angeles, CA 90071-3197
Email: cchorba@gibsondunn.com

21 Joshua Aaron Jessen
22 Gibson Dunn & Crutcher LLP
3161 Michelson Drive, Suite 1200
23 Irvine, CA 92612
Email: jjessen@gibsondunn.com

24 Executed on April 1, 2015, at San Francisco, California.

25
26 /s/ Melissa A. Gardner
Melissa A. Gardner

EXHIBIT 1

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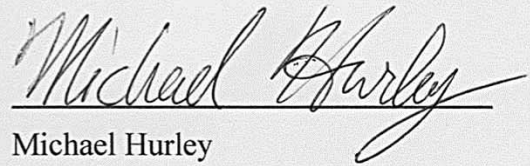
	To	From	Date	URL
1.	[REDACTED]	Michael Hurley	July 14, 2011 at 1:42am PDT	[REDACTED]
2.	Michael Hurley	[REDACTED]	July 31, 2013 at 10:25pm PDT	
3.	[REDACTED]	Michael Hurley	July 11, 2012 at 11:14pm PDT	
4.	[REDACTED]	Michael Hurley	September 27, 2011 at 6:20pm PDT	
5.	Michael Hurley	[REDACTED]	February 19, 2014 at 5:54pm PST	
6.	Michael Hurley	[REDACTED]	March 14, 2014 at 11:54pm PDT	
7.	Michael Hurley	[REDACTED]	April 20, 2014 at 10:45pm PDT	
8.	Michael Hurley	[REDACTED]	December 18, 2009 at 3:22pm PST	
9.	Michael Hurley	[REDACTED]	August 8, 2011 at 7:09am PDT	
10.	Michael Hurley	[REDACTED]	July 21, 2011 at 1:55pm PDT	
11.	Michael Hurley	[REDACTED]	March 25, 2010 at 3:32pm PDT	
12.	Michael Hurley	[REDACTED]	October 29, 2009 at 1:51pm PDT	

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	To	From	Date	URL
13.	Michael Hurley	[REDACTED]	February 19, 2011 at 3:02pm PST	[REDACTED]
14.	Michael Hurley	[REDACTED]	December 28, 2010 at 11:58am PST	[REDACTED]
15.	Michael Hurley	[REDACTED]	July 17, 2010 at 7:27pm PDT	[REDACTED]
16.	Michael Hurley	[REDACTED]	December 18, 2009 at 3:22pm PST	[REDACTED]
17.	Michael Hurley	[REDACTED]	July 17, 2010 at 7:27pm PDT	[REDACTED]

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Michael Hurley hereby states that he has reviewed the foregoing document (Plaintiff Michael Hurley's Objections and Responses to Defendant Facebook, Inc.'s First Set of Interrogatories), that he believes that, with the exception of certain typos identified in his Response to Interrogatory No. 4 corrected concurrently herewith, said answers are true and correct and contain such information as is available to him, and that he has relied on his counsel for the form of these answers and for the application of law to fact.


Michael Hurley

CONFIDENTIAL

PROOF OF SERVICE

1
2 I am a citizen of the United States and employed in San Francisco County, California. I
3 am over the age of eighteen years and not a party to the within-entitled action. My business
4 address is 275 Battery Street, 29th Floor, San Francisco, California 94111-3339.

5 I am readily familiar with Lieff, Cabraser, Heimann & Bernstein, LLP's practice for
6 collection and processing of documents for service via email, and that practice is that the
7 documents are attached to an email and sent to the recipient's email account.

8 On September 15, 2015, I caused to be served copies of the following documents:

- 9
10 **1. PLAINTIFF MICHAEL HURLEY'S OBJECTIONS AND**
11 **RESPONSES TO DEFENDANT FACEBOOK'S FIRST SET**
12 **OF INTERROGATORIES, EXHIBIT 1, AND PROOF OF**
13 **SERVICE DATED APRIL 1, 2015;**
- 14 **2. VERIFICATION OF MICHAEL HURLEY; and this**
- 15 **3. PROOF OF SERVICE BY EMAIL**

16 on Defendant in this action through their counsel:

17 Christopher Chorba
18 Email: cchorba@gibsondunn.com

19 Joshua Aaron Jessen
20 Email: jjessen@gibsondunn.com

21 Jeana Marie Bisnar Maute
22 Email: jbisnarmaute@gibsondunn.com

23 Ashley Marie Rogers
24 Email: arogers@gibsondunn.com

25 Priyanka Rajagopalan
26 Email: prajagopalan@gibsondunn.com

27 Executed on September 15, 2015, at San Francisco, California.

28 /s/ Melissa A. Gardner
Melissa A. Gardner