

1 GIBSON, DUNN & CRUTCHER LLP
 JOSHUA A. JESSEN, SBN 222831
 2 JJessen@gibsondunn.com
 JEANA BISNAR MAUTE, SBN 290573
 3 JBisnarMaute@gibsondunn.com
 PRIYANKA RAJAGOPALAN, SBN 278504
 4 PRajagopalan@gibsondunn.com
 ASHLEY M. ROGERS, SBN 286252
 5 ARogers@gibsondunn.com
 1881 Page Mill Road
 6 Palo Alto, California 94304
 Telephone: (650) 849-5300
 7 Facsimile: (650) 849-5333

8 GIBSON, DUNN & CRUTCHER LLP
 CHRISTOPHER CHORBA, SBN 216692
 9 CChorba@gibsondunn.com
 333 South Grand Avenue
 10 Los Angeles, California 90071
 Telephone: (213) 229-7000
 11 Facsimile: (213) 229-7520

12 Attorneys for Defendant
 FACEBOOK, INC.

14 UNITED STATES DISTRICT COURT
 15 NORTHERN DISTRICT OF CALIFORNIA
 16 OAKLAND DIVISION

17 MATTHEW CAMPBELL and MICHAEL
 HURLEY,

18 Plaintiffs,

19 v.

20 FACEBOOK, INC.,

21 Defendant.

Case No. C 13-05996 PJH (SK)

**DECLARATION OF JEANA BISNAR
 MAUTE IN SUPPORT OF DEFENDANT
 FACEBOOK, INC.'S OPPOSITION TO
 PLAINTIFFS' MOTION TO COMPEL
 PRODUCTION OF DOCUMENTS**

1 I, Jeana Bisnar Maute, declare as follows:

2 1. I am an attorney admitted to practice law before this Court. I am an associate in the
3 law firm of Gibson, Dunn & Crutcher LLP, and I am one of the attorneys responsible for representing
4 Defendant Facebook, Inc. (“Facebook”) in the above-captioned action. I submit this declaration in
5 support of Facebook’s Opposition to Plaintiffs’ Motion to Compel Production of Documents (Dkt.
6 208; the “Motion”). The following facts are within my personal knowledge or based on the
7 knowledge I have acquired by working with Facebook personnel to provide discovery and produce
8 documents in this matter and, if called and sworn as a witness, I could and would testify competently
9 to these facts.

10 2. Plaintiffs in this case are requesting that Facebook use a set of specific searches in
11 order to extract documents from Facebook’s system for review and production in this lawsuit. These
12 searches require that a document contain one or more enumerated words within 50 words of one or
13 more other enumerated words in order to be responsive to the search (i.e., “proximity searching”).

14 3. Facebook’s systems for [REDACTED]
15 [REDACTED]
16 [REDACTED]
17 [REDACTED]
18 [REDACTED]. Facebook has undertaken
19 this process for Plaintiffs’ proposed searches. Plaintiffs’ proposed searches as applied to the email
20 collections of the individual custodians alone returned almost 100,000 unique documents. Discovery
21 vendor costs for Facebook to merely collect, process, and search these documents has already risen to
22 approximately \$50,000. Based on historical costs for review of documents in this case, it would
23 likely cost Facebook several hundred thousand additional dollars to complete review of and
24 production from these search results.

25 4. With respect to non-individual custodians, [REDACTED]
26 [REDACTED] systems (among other things) in the
27 form of [REDACTED]. The search functionality includes [REDACTED]
28 [REDACTED]

1 [REDACTED]
2 [REDACTED]
3 [REDACTED]
4 [REDACTED]

5 [REDACTED]. A search in this system for the word “EntShare” alone
6 returned over 10,000 results. Manually viewing and printing each of these page results would be
7 extremely burdensome. Even if that process were undertaken, those documents would still need to be
8 moved to another system for processing and proximity searching.

9 5. Facebook’s “[REDACTED]” system, [REDACTED]
10 [REDACTED].
11 Therefore, searches in the “[REDACTED]” system would be duplicative of searches in Facebook’s email
12 system.

13 6. When Facebook exports documents to a review platform for purposes of litigation,
14 documents will sometimes have no individual “custodian” metadata information, and Facebook may
15 apply “Facebook,” or “Facebook Email,” or “Facebook Temp” or some other generic custodian
16 information in the “custodian” metadata field.

17 7. Facebook possesses [REDACTED]
18 [REDACTED]
19 [REDACTED]
20 [REDACTED]
21 [REDACTED]
22 [REDACTED]

23 [REDACTED]. Manually and individually locating and converting each page would be extremely
24 burdensome.

25 //
26 //
27 //
28 //

1 I declare under penalty of perjury under the laws of the United States of America that
2 the foregoing is true and correct and that this declaration was executed on August 19, 2016 in
3 Palo Alto, California.

4 /s/ Jeana Bisnar Maute

5 Jeana Bisnar Maute

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

ATTORNEY ATTESTATION

1 I, Joshua A. Jessen, attest that concurrence in the filing of this Declaration of Jeana Bisnar
2 Maute has been obtained from the signatory. I declare under penalty of perjury under the laws of the
3 United States of America that the foregoing is true and correct. Executed this 19th day of August
4 2016, in Irvine, California.
5

6 Dated: August 19, 2016

/s/ Joshua A. Jessen
Joshua A. Jessen