# EXHIBIT 5

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| **From:** | Rogers, Ashley <ARogers@gibsondunn.com> |
| **Sent:** | Tuesday, June 28, 2016 2:27 PM |
| **To:** | Rudolph, David T.; Rajagopalan, Priyanka; Sobol, Michael W.; Diamand, Nicholas; Gardner, Melissa; Hank Bates; Allen Carney; David Slade |
| **Cc:** | Jessen, Joshua A.; Chorba, Christopher; Maute, Jeana Bisnar |
| **Subject:** | RE: Campbell v. Facebook |

David,

Thank you for your counter-proposal.  Please find our response below.

We have undertaken to assess each of your proposed terms and limitations individually and row-by-row, to try to keep as much of the proposed search as possible while also attempting to tailor each search more to your actual class and claims and to the appropriate time period.  We believe our counter-proposal, based on your terms, is closer to proportional discovery—but we invite your thoughts.  Because we cannot know how many documents will be responsive to these terms until we collect and process them, we cannot know ahead of that process whether the searches will in fact produce proportional discovery; therefore, we may need to refine further after processing is complete (which we intend to do with your consultation).

With respect to custodians, provided we agree on appropriate searches, we are willing to consider adding Mr. Varghese as a custodian.  With respect to the non-individual custodians (e.g., Wiki, ███ etc.), we are amenable to producing from some of those sources, but will need to have a separate discussion about them, since those sources do not have search capabilities that will allow for the types of searches we are considering for emails, and they also are not amenable to efficient collection processes.  Achieving proportional discovery from those sources will require a different approach, which we are willing to discuss.

Thank you.

**Proposed Search Terms:**

| Term | Facebook's Proposal to Include | Plaintiffs' Counter-Proposal of Additional Limiting Terms | Facebook's Counter-Proposal |
|---|---|---|---|
| Graph API | Yes, limited by "w/50 (URL w/50 (message* or messenger* or Titan*))" **and** | Limited by "w/50 message* or messenger* or Titan* or inbox* or EntShare* or EntGlobalShare* or Share_count* or tracking_info* or bootcamp*" | Limited by "w/50 (message* or messenger or Titan* or inbox*) AND w/50 (EntShare* or EntGlobalShare* or Share_count* or tracking_info* or bootcamp*)" |

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| | **ending December 31, 2012** | | **and ending December 31, 2012** |
| "Link_stats" or "link stats" | Yes, limited by "w/50 (URL w/50 (message* or messenger* or Titan*))" **and ending December 31, 2012** | Limited by "w/50 message* or messenger* or Titan* or inbox* or EntShare* or EntGlobalShare* or Share_count* or tracking_info* or bootcamp*" | Limited by "w/50 (message* or messenger or Titan* or inbox*) AND w/50 (EntShare* or EntGlobalShare* or Share_count* or tracking_info* ~~or bootcamp*~~)" **and ending December 31, 2012** |
| Targeting roadmap | Yes, limited by "w/50 (URL w/50 (message* or messenger* or Titan*))" | Limited by "w/50 message* or messenger* or Titan* or inbox* or EntShare* or EntGlobalShare* or Share_count* or tracking_info* or like* or share* or bootcamp*" | Limited by "w/50 (message* or messenger or Titan* or inbox*) AND w/50 (EntShare* or EntGlobalShare* or Share_count* or tracking_info* or ((like* or share*) w/2 URL) ~~or bootcamp*~~)" |
| Realtime Metric | Yes, limited by "w/50 (URL w/50 (message* or messenger* or Titan*))" **and ending December 31, 2012** | Limited by "w/50 message* or messenger* or Titan* or inbox* or EntShare* or EntGlobalShare* or Share_count* or tracking_info* or Insights* or Hbase* or Real Time Analytics* or bootcamp*" | Limited by "w/50 (message* or messenger or Titan* or inbox*) AND w/50 (EntShare* or EntGlobalShare* or Share_count* or tracking_info* or Insights* ~~or Hbase*~~ or "Real Time Analytics*" ~~or bootcamp*~~)" **and ending December 31, 2012** |
| Targeting team | Yes, limited by "w/50 (URL w/50 (message* or messenger* or Titan*))" | Limited by "w/50 message* or messenger* or Titan* or inbox* or EntShare* or EntGlobalShare* or Share_count* or tracking_info* or ▮▮▮ or scribeh_share_stats* or shortage* of like* or share* or activity feed* or bootcamp* or Gmail* or Google*" | Limited by "w/50 (message* or messenger or Titan* or inbox*) AND w/50 (EntShare* or EntGlobalShare* or Share_count* or tracking_info* or ▮▮▮ or scribeh_share_stats* or (shortage w/5 (like* or share*)) or activity feed* ~~or bootcamp* or Gmail* or Google*~~)" |
| ▮▮▮▮▮▮ | Yes, limited by "w/50 (URL w/50 (message* or messenger* or Titan*))" **and** | Limited by "w/50 message* or messenger* or Titan* or inbox* or EntShare* or EntGlobalShare* or Share_count* or tracking_info* or Realtime* or Real Time Analytics* or API* or Hbase* or Counter* or | Limited by "w/50 (message* or messenger or Titan* or inbox*) AND w/50 (EntShare* or EntGlobalShare* or Share_count* or tracking_info* ~~or Realtime*~~ or |

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|---|---|---|---|
| | **ending December 31, 2012** | Demographic* or analytic* or sharescapper* or sharescraper* or SharePro* or Interaction Data* or Domain Insights* or link_stats* or link stats* or graph* or bootcamp*” | Real Time Analytics* or ~~API* or Hbase* or~~ Counter* or Demographic* or analytic* ~~or sharescapper*~~ or sharescraper* ~~or SharePro* or Interaction Data* or Domain Insights* or link_stats* or link stats* or graph*~~)” **and ending December 31, 2012** |
| ▮▮▮▮▮▮ | Yes, limited by "w/50 (URL w/50 (message* or messenger* or Titan*))" **and ending December 31, 2012** | Limited by “w/50 message* or messenger* or Titan* or inbox* or EntShare* or EntGlobalShare* or Share_count* or tracking_info* or bootcamp* or Realtime* or Real Time Analytics* or API* or Hbase* or Counter* or Demographic* or analytic* or sharescapper* or sharescraper* or SharePro* or Interaction Data* or Domain Insights* or link_stats* or link stats* or graph*” | Limited by “w/50 (message* or messenger or Titan* or inbox) AND w/50 (EntShare* or EntGlobalShare* or Share_count* or tracking_info* ~~or bootcamp*~~ or Realtime* or Real Time Analytics* ~~or API* or Hbase*~~ or Counter* or Demographic* or analytic* ~~or sharescapper*~~ or sharescraper* ~~or SharePro* or Interaction Data* or Domain Insights* or link_stats* or link stats* or graph*~~)” **and ending December 31, 2012** |
| ▮▮▮▮▮▮▮ | Yes, limited by "w/50 (URL w/50 (message* or messenger* or Titan*))" **and ending July 9, 2014, when the backup system was discontinued** | Limited by “w/50 message* or messenger* or Titan* or inbox* or EntShare* or EntGlobalShare* or Share_count* or tracking_info* or bootcamp* or ▮▮▮▮▮* or scribeh_share_stats* or taste*” | Limited by “w/50 (message* or messenger or Titan* or inbox*) AND w/50 (EntShare* or EntGlobalShare* or Share_count* or tracking_info* ~~or bootcamp*~~ or ▮▮▮▮▮* or scribeh_share_stats* or taste*)” **and ending July 9, 2014, when the backup system was discontinued** |
| ▮▮▮▮▮▮▮ | Yes, limited by "w/50 (URL w/50 (message* or messenger* or Titan*))" **and ending July 9, 2014, when the backup system** | Limited by “w/50 message* or messenger* or Titan* or inbox* or EntShare* or EntGlobalShare* or Share_count* or tracking_info* or bootcamp* or ▮▮▮▮* or scribeh_share_stats* or taste* or node* or API*” | Limited by “w/50 (message* or messenger or Titan* or inbox*) AND w/50 (EntShare* or EntGlobalShare* or Share_count* or tracking_info* ~~or bootcamp*~~ or ▮▮▮▮* or scribeh_share_stats* or taste* ~~or node* or API*~~)” **and ending July 9, 2014, when the** |

| | was discontinued | | backup system was discontinued |
|---|---|---|---|
| Tracking_info | Yes, limited by "w/50 (URL w/50 (message* or messenger* or Titan*))" | Limited by "w/50 message* or messenger* or Titan* or inbox* or EntShare* or EntGlobalShare* or Share_count* or tracking_info* or bootcamp* or share* or taste* or ████████* or scribeh_share_stats* or target* or recommend* or Insights* or API*" | Limited by "w/50 (message* or messenger or Titan* or inbox*) AND w/50 (EntShare* or EntGlobalShare* or Share_count* or ~~tracking_info* or bootcamp* or~~ share* or taste* or ████████* or scribeh_share_stats* or target* or recommend* or Insights* or ~~API*~~)" |
| EntGlobalShare | Yes, limited by "w/50 (URL w/50 (message* or messenger* or Titan*))" | Limited by "w/50 message* or messenger* or Titan* or inbox* or API* or Insights* or link_stats* or link stats* or Targeting* or Realtime Metric* or graph* or tracking_info* or share_count* or ███████████████* or █████████████████* or ███████* or scribeh_share_stats* or SharePro*or URL* or entity* or entities* or bootcamp*"<br><br>Additionally, Plaintiffs request all documents containing the term "EntGlobalShare" from any Facebook wiki sites or other portions of Facebook's internal repositories devoted to or containing reference material on Facebook's operation (*e.g.*, ████).  For instance – and only for illustrative purposes – Plaintiffs would seek all documents including the term "EntGlobalShares" that were located on web pages with URLs beginning with the following designations:<br><br>████████████████████<br><br>███████████<br><br>█████████████████ | Limited by "w/50 (message* or messenger or Titan* or inbox*) AND w/50 (~~API* or~~ Insights* or link_stats* or link stats* or Targeting* or Realtime Metric* ~~or graph~~* or tracking_info* or share_count* or █████████████████* or █████████████████* or ███████* or scribeh_share_stats* or SharePro*or URL* ~~or entity* or entities* or bootcamp*~~)"<br><br>We will need to have a separate discussion about searching non-individual custodians. |
| EntShare | Yes, limited by | Limited by "w/50 message* or messenger* or | Limited by "w/50 (message* or |

| | | | |
|---|---|---|---|
| | "w/50 (URL w/50 (message* or messenger* or Titan*))" | Titan* or inbox* or API* or Insights* or link_stats* or link stats* or Targeting* or Realtime Metric* or graph* or tracking_info* or share_count* or ███████████████* or ████████* or ██████* or scribeh_share_stats* or SharePro* or URL* or entity* or entities* or bootcamp*"<br><br>Additionally, Plaintiffs request all documents containing the term "EntShare" from any Facebook wiki sites or other portions of Facebook devoted to or containing reference material on Facebook's operation (*e.g.*, ██). For instance – and only for illustrative purposes – Plaintiffs would seek all documents including the term "EntShares" that were located on web pages with URLs beginning with the following designations:<br><br>████████████████<br><br>██████████<br><br>████████████████ | messenger or Titan* or inbox*) AND w/50 (~~API*or~~ Insights* or link_stats* or link stats* ~~or~~ Targeting* or Realtime Metric* ~~or graph*~~ or tracking_info* or share_count* or ██████████████* or ████████* or ████* or scribeh_share_stats* or SharePro* or URL* ~~or entity* or entities* or bootcamp*~~)"<br><br>We will need to have a separate discussion about searching non-individual custodians. |
| Insights Dashboard | Yes, limited by "w/50 (URL w/50 (message* or messenger* or Titan*))" **and ending December 31, 2012** | Limited by "w/50 message* or messenger* or Titan* or inbox* or EntShare* or EntGlobalShare* or Share_count* or tracking_info* or bootcamp* or Realtime* or Real Time Analytics* or API* or Hbase* or Counter* or Demographic* or analytic* or sharescapper* or sharescraper* or SharePro* or Interaction Data* or Domain Insights* or link_stats* or link stats* or graph* or bootcamp*" | Limited by "w/50 (message* or messenger or Titan* or inbox*) AND w/50 (EntShare* or EntGlobalShare* or Share_count* or tracking_info* ~~or bootcamp*~~ or Realtime* or Real Time Analytics* ~~or API* or Hbase*~~ or Counter* or Demographic* or analytic* ~~or sharescapper*~~ or sharescraper* ~~or SharePro* or Interaction Data* or Domain Insights* or link_stats* or link stats* or graph* or bootcamp~~)" |

| | | | and ending December 31, 2012 |
|---|---|---|---|
| Insights (UI) | Yes, limited by "w/50 (URL w/50 (message* or messenger* or Titan*))" **and ending December 31, 2012** | Limited by "w/50 message* or messenger* or Titan* or inbox* or EntShare* or EntGlobalShare* or Share_count* or tracking_info* or Realtime* or Real Time Analytics* or API* or Hbase* or Counter* or Demographic* or analytic* or sharescapper* or sharescraper* or SharePro* or Interaction Data* or Domain Insights* or link_stats* or link stats* or graph* or bootcamp*" | Limited by "w/50 (message* or messenger or Titan* or inbox*) AND w/50 (EntShare* or EntGlobalShare* or Share_count* or tracking_info* or Realtime* or Real Time Analytics* or API* or Hbase* or Counter* or Demographic* or analytic* or sharescapper* or sharescraper* or SharePro* or Interaction Data* or Domain Insights* or link_stats* or link stats* or graph* or bootcamp*)" **and ending December 31, 2012** |
| ▉ | Yes, limited by "w/50 (URL w/50 (message* or messenger* or Titan*))" **and ending December 31, 2012** | Limited by "w/50 message* or messenger* or Titan* or inbox* or EntShare* or EntGlobalShare* or Share_count* or tracking_info* or bootcamp* or Realtime* or Real Time Analytics* or API* or Hbase* or Counter* or Demographic* or analytic* or sharescapper* or sharescraper* or SharePro* or Interaction Data* or Domain Insights* or link_stats* or link stats* or graph* or bootcamp*" | Limited by "w/50 (message* or messenger or Titan* or inbox) AND w/50 (EntShare* or EntGlobalShare* or Share_count* or tracking_info* or bootcamp* or Realtime* or Real Time Analytics* or API* or Hbase* or Counter* or Demographic* or analytic* or sharescapper* or sharescraper* or SharePro* or Interaction Data* or Domain Insights* or link_stats* or link stats* or graph* or bootcamp*)" **and ending December 31, 2012** |
| Insights logging | Yes, limited by "w/50 (URL w/50 (message* or messenger* or Titan*))" **and ending December 31, 2012** | Limited by "w/50 message* or messenger* or Titan* or inbox* or EntShare* or EntGlobalShare* or Share_count* or tracking_info* or Realtime* or Real Time Analytics* or API* or Hbase* or Counter* or Demographic* or analytic* or sharescapper* or sharescraper* or SharePro* or Interaction Data* or Domain Insights* or link_stats* or link stats* or graph* or bootcamp*" | Limited by "w/50 (message* or messenger or Titan* or inbox*) AND w/50 (EntShare* or EntGlobalShare* or Share_count* or tracking_info* or Realtime* or Real Time Analytics* or API* or Hbase* or Counter* or Demographic* or analytic* or sharescapper* or sharescraper* |

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| | | | or SharePro* or Interaction Data* or Domain Insights* or link_stats* or link stats* or graph* or bootcamp*)" **and ending December 31, 2012** |
| Insights API | Yes, limited by "w/50 (URL w/50 (message* or messenger* or Titan*))" **and ending December 31, 2012** | Limited by "w/50 message* or messenger* or Titan* or inbox* or EntShare* or EntGlobalShare* or Share_count* or tracking_info* or Realtime* or Real Time Analytics* or API* or Hbase* or Counter* or Demographic* or analytic* or sharescapper* or sharescraper* or SharePro* or Interaction Data* or Domain Insights* or link_stats* or link stats* or graph* or bootcamp*" | Limited by "w/50 (message* or messenger or Titan* or inbox*) AND w/50 (EntShare* or EntGlobalShare* or Share_count* or tracking_info* or Realtime* or Real Time Analytics* or API* or Hbase* or Counter* or Demographic* or analytic* or sharescapper* or sharescraper* or SharePro* or Interaction Data* or Domain Insights* or link_stats* or link stats* or graph* or bootcamp*)" **and ending December 31, 2012** |
| Insights | Yes, limited by "w/50 (URL w/50 (message* or messenger* or Titan*))" **and ending December 31, 2012** | Limited by "w/50 message* or messenger* or Titan* or inbox* or EntShare* or EntGlobalShare* or Share_count* or tracking_info* or bootcamp* or Realtime* or Real Time Analytics* or API* or Hbase* or Counter* or Demographic* or analytic* or sharescapper* or sharescraper* or SharePro* or Interaction Data* or Domain Insights* or link_stats* or link stats* or graph*" | Change primary term to "Domain Insights" and Limited by "w/50 (message* or messenger or Titan* or inbox*) AND w/50 (EntShare* or EntGlobalShare* or Share_count* or tracking_info* or bootcamp* or Realtime* or Real Time Analytics* or API* or Hbase* or Counter* or Demographic* or analytic* or sharescapper* or sharescraper* or SharePro* or Interaction Data* or Domain Insights* or link_stats* or link stats* or graph*)" **and ending December 31, 2012** |
| Taste | Yes, limited by "w/50 (URL w/50 (message* or messenger* or Titan*))" **and** | Limited by "w/50 message* or messenger* or Titan* or inbox* or EntShare* or EntGlobalShare* or Share_count* or tracking_info* or bootcamp* or recommend*or ███████████ * or | Limited by "w/50 (message* or messenger or Titan* or inbox*) AND w/50 (EntShare* or EntGlobalShare* or Share_count* or tracking_info* or bootcamp* or |

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| **ending July 9, 2014, when the backup system was discontinued** | | ████████████████* or ████* or scribeh_share_stats* or URL*" | ~~recommend*~~ or ███████████* or ██████████* or █* or scribeh_share_stats* or URL*)" **and ending July 9, 2014, when the backup system was discontinued** |
| ██████ | Not Included | Limited by "w/50 message* or messenger* or Titan* or inbox* or EntShare* or EntGlobalShare* or Share_count* or tracking_info* or bootcamp* or scribe* or taste* or recommend* or ███████████* or █* or URL*" | Limited by "w/50 (message* or messenger or Titan* or inbox*) AND w/50 (EntShare* or EntGlobalShare* or Share_count* or tracking_info* ~~or bootcamp* or scribe*~~ or taste* ~~or recommend*~~ or ███████████* or █* or URL*)" **and ending February 1, 2012** |
| scribeh_share_stats | Not Included | Limited by "w/50 message* or messenger* or Titan* or inbox* or EntShare* or EntGlobalShare* or Share_count* or tracking_info* or bootcamp* or ██████* or taste* or recommend* or ██████████* or █* or URL*" | Limited by "w/50 (message* or messenger or Titan* or inbox*) AND w/50 (EntShare* or EntGlobalShare* or Share_count* or tracking_info* ~~or bootcamp* or~~ ███████ or taste* ~~or recommend*~~ or ██████████* or █* or URL*)" |
| Nectar and Nectar-related terms ████████████ | Not Included | While reserving their rights to request documents related to Nectar and Nectar-related terms in the future, Plaintiffs agree to exclude Nectar and Nectar-related search terms from the proposed list at this time. | |

**Ashley Rogers**

# GIBSON DUNN

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**From:** Rudolph, David T. [mailto:drudolph@lchb.com]
**Sent:** Wednesday, June 15, 2016 7:53 PM
**To:** Rajagopalan, Priyanka; Sobol, Michael W.; Diamand, Nicholas; Gardner, Melissa; Hank Bates; Allen Carney; David Slade
**Cc:** Jessen, Joshua A.; Chorba, Christopher; Maute, Jeana Bisnar; Rogers, Ashley
**Subject:** RE: Campbell v. Facebook

Counsel,

As we discussed yesterday, below is Plaintiffs' proposal regarding further search terms for proximity searches as well as the custodians to be searched.  As we explained, we believe the searches should be performed for documents and ESI dated from the previously agreed document production period of April 2010 through May 18, 2016, the end of class period. Plaintiffs reserve their rights to seek documents and ESI containing further search terms as discovery progresses.

Additionally, the below list of custodians is a subset of the custodians from which Facebook has already produced documents. Plaintiffs reserve their rights to seek documents from additional custodians as they are identified as discovery progresses, and in light of further discovery covering the time period extending through May 2016 or on topics which Plaintiffs have received too few documents to identify appropriate custodians.

**Proposed Search Terms:**

| Term | Facebook's Proposal to Include | Plaintiffs' Counter-Proposal of Additional Limiting Terms |
|------|-------------------------------|-----------------------------------------------------------|
| Graph API | Yes, limited by "w/50 (URL w/50 (message* or messenger* or Titan*))" **and ending December 31, 2012** | Limited by "w/50 message* or messenger* or Titan* or inbox* or EntShare* or EntGlobalShare* or Share_count* or tracking_info* or bootcamp*" |
| "Link_stats" or "link stats" | Yes, limited by "w/50 (URL w/50 | Limited by "w/50 message* or messenger* or Titan* or inbox* or EntShare* or |

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| | (message* or messenger* or Titan*))" **and ending December 31, 2012** | EntGlobalShare* or Share_count* or tracking_info* or bootcamp*" |
| Targeting roadmap | Yes, limited by "w/50 (URL w/50 (message* or messenger* or Titan*))" | Limited by "w/50 message* or messenger* or Titan* or inbox* or EntShare* or EntGlobalShare* or Share_count* or tracking_info* or like* or share* or bootcamp*" |
| Realtime Metric | Yes, limited by "w/50 (URL w/50 (message* or messenger* or Titan*))" **and ending December 31, 2012** | Limited by "w/50 message* or messenger* or Titan* or inbox* or EntShare* or EntGlobalShare* or Share_count* or tracking_info* or Insights* or Hbase* or Real Time Analytics* or bootcamp*" |
| Targeting team | Yes, limited by "w/50 (URL w/50 (message* or messenger* or Titan*))" | Limited by "w/50 message* or messenger* or Titan* or inbox* or EntShare* or EntGlobalShare* or Share_count* or tracking_info* or ████████* or scribeh_share_stats* or shortage* of like* or share* or activity feed* or bootcamp* or Gmail* or Google*" |
| ████████████ | Yes, limited by "w/50 (URL w/50 (message* or messenger* or Titan*))" **and ending December 31, 2012** | Limited by "w/50 message* or messenger* or Titan* or inbox* or EntShare* or EntGlobalShare* or Share_count* or tracking_info* or Realtime* or Real Time Analytics* or API* or Hbase* or Counter* or Demographic* or analytic* or sharescapper* or sharescraper* or SharePro* or Interaction Data* or Domain Insights* or link_stats* or link stats* or graph* or bootcamp*" |
| ████████ | Yes, limited by "w/50 (URL w/50 (message* or | Limited by "w/50 message* or messenger* or Titan* or inbox* or EntShare* or EntGlobalShare* or Share_count* or |

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| | messenger* or Titan*))" **and ending December 31, 2012** | tracking_info* or bootcamp* or Realtime* or Real Time Analytics* or API* or Hbase* or Counter* or Demographic* or analytic* or sharescapper* or sharescraper* or SharePro* or Interaction Data* or Domain Insights* or link_stats* or link stats* or graph*" |
| ████████████████████ | Yes, limited by "w/50 (URL w/50 (message* or messenger* or Titan*))" **and ending July 9, 2014, when the backup system was discontinued** | Limited by "w/50 message* or messenger* or Titan* or inbox* or EntShare* or EntGlobalShare* or Share_count* or tracking_info* or bootcamp* or ███████ or scribeh_share_stats* or taste*" |
| ████████████████ | Yes, limited by "w/50 (URL w/50 (message* or messenger* or Titan*))" **and ending July 9, 2014, when the backup system was discontinued** | Limited by "w/50 message* or messenger* or Titan* or inbox* or EntShare* or EntGlobalShare* or Share_count* or tracking_info* or bootcamp* or ███████* or scribeh_share_stats* or taste* or node* or API*" |
| Tracking_info | Yes, limited by "w/50 (URL w/50 (message* or messenger* or Titan*))" | Limited by "w/50 message* or messenger* or Titan* or inbox* or EntShare* or EntGlobalShare* or Share_count* or tracking_info* or bootcamp* or share* or taste* or ████████* or scribeh_share_stats* or target* or recommend* or Insights* or API*" |
| EntGlobalShare | Yes, limited by "w/50 (URL w/50 (message* or messenger* or Titan*))" | Limited by "w/50 message* or messenger* or Titan* or inbox* or API* or Insights* or link_stats* or link stats* or Targeting* or Realtime Metric* or graph* or tracking_info* or share_count* |

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| | | or ███████████████ or<br>███████████████* or<br>█████ or scribeh_share_stats* or<br>SharePro*or URL* or entity* or entities* or<br>bootcamp*"<br><br>Additionally, Plaintiffs request all<br>documents containing the term<br>"EntGlobalShare" from any Facebook wiki<br>sites or other portions of Facebook's internal<br>repositories devoted to or containing<br>reference material on Facebook's operation<br>(*e.g.*, █████ For instance – and only for<br>illustrative purposes – Plaintiffs would seek<br>all documents including the term<br>"EntGlobalShares" that were located on web<br>pages with URLs beginning with the<br>following designations:<br><br>████████████████████<br><br>████████<br><br>████████████████████ |
| EntShare | Yes, limited by<br>"w/50 (URL w/50<br>(message* or<br>messenger* or<br>Titan*))" | Limited by "w/50 message* or messenger*<br>or Titan* or inbox* or API* or Insights* or<br>link_stats* or link stats* or Targeting* or<br>Realtime Metric* or graph* or<br>tracking_info* or share_count*<br>or █████████████* or<br>█████████████ or<br>█████ or scribeh_share_stats* or<br>SharePro* or URL* or entity* or entities* or<br>bootcamp*"<br><br>Additionally, Plaintiffs request all<br>documents containing the term "EntShare" |

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| | | from any Facebook wiki sites or other portions of Facebook devoted to or containing reference material on Facebook's operation (*e.g.*, ███ For instance – and only for illustrative purposes – Plaintiffs would seek all documents including the term "EntShares" that were located on web pages with URLs beginning with the following designations:<br><br>████████████████<br><br>███████<br><br>███████████ |
| Insights Dashboard | Yes, limited by "w/50 (URL w/50 (message* or messenger* or Titan*))" **and ending December 31, 2012** | Limited by "w/50 message* or messenger* or Titan* or inbox* or EntShare* or EntGlobalShare* or Share_count* or tracking_info* or bootcamp* or Realtime* or Real Time Analytics* or API* or Hbase* or Counter* or Demographic* or analytic* or sharescapper* or sharescraper* or SharePro* or Interaction Data* or Domain Insights* or link_stats* or link stats* or graph* or bootcamp*" |
| Insights (UI) | Yes, limited by "w/50 (URL w/50 (message* or messenger* or Titan*))" **and ending December 31, 2012** | Limited by "w/50 message* or messenger* or Titan* or inbox* or EntShare* or EntGlobalShare* or Share_count* or tracking_info* or Realtime* or Real Time Analytics* or API* or Hbase* or Counter* or Demographic* or analytic* or sharescapper* or sharescraper* or SharePro* or Interaction Data* or Domain Insights* or link_stats* or link stats* or graph* or bootcamp*" |
| ███████ | Yes, limited by "w/50 (URL w/50 | Limited by "w/50 message* or messenger* or Titan* or inbox* or EntShare* or |

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| | (message* or messenger* or Titan*))" **and ending December 31, 2012** | EntGlobalShare* or Share_count* or tracking_info* or bootcamp* or Realtime* or Real Time Analytics* or API* or Hbase* or Counter* or Demographic* or analytic* or sharescapper* or sharescraper* or SharePro* or Interaction Data* or Domain Insights* or link_stats* or link stats* or graph* or bootcamp*" |
| Insights logging | Yes, limited by "w/50 (URL w/50 (message* or messenger* or Titan*))" **and ending December 31, 2012** | Limited by "w/50 message* or messenger* or Titan* or inbox* or EntShare* or EntGlobalShare* or Share_count* or tracking_info* or Realtime* or Real Time Analytics* or API* or Hbase* or Counter* or Demographic* or analytic* or sharescapper* or sharescraper* or SharePro* or Interaction Data* or Domain Insights* or link_stats* or link stats* or graph* or bootcamp*" |
| Insights API | Yes, limited by "w/50 (URL w/50 (message* or messenger* or Titan*))" **and ending December 31, 2012** | Limited by "w/50 message* or messenger* or Titan* or inbox* or EntShare* or EntGlobalShare* or Share_count* or tracking_info* or Realtime* or Real Time Analytics* or API* or Hbase* or Counter* or Demographic* or analytic* or sharescapper* or sharescraper* or SharePro* or Interaction Data* or Domain Insights* or link_stats* or link stats* or graph* or bootcamp*" |
| Insights | Yes, limited by "w/50 (URL w/50 (message* or messenger* or Titan*))" **and ending December 31, 2012** | Limited by "w/50 message* or messenger* or Titan* or inbox* or EntShare* or EntGlobalShare* or Share_count* or tracking_info* or bootcamp* or Realtime* or Real Time Analytics* or API* or Hbase* or Counter* or Demographic* or analytic* or sharescapper* or sharescraper* or SharePro* or Interaction Data* or Domain Insights* or link_stats* or link stats* or graph*" |

| | | |
|---|---|---|
| Taste | Yes, limited by "w/50 (URL w/50 (message* or messenger* or Titan*))" **and ending July 9, 2014, when the backup system was discontinued** | Limited by "w/50 message* or messenger* or Titan* or inbox* or EntShare* or EntGlobalShare* or Share_count* or tracking_info* or bootcamp* or recommend*or ███████████████* or ███████████ or ██████ or scribeh_share_stats* or URL*" |
| ███████ | Not Included | Limited by "w/50 message* or messenger* or Titan* or inbox* or EntShare* or EntGlobalShare* or Share_count* or tracking_info* or bootcamp* or scribe* or taste* or recommend* or ████████████████ or ██████* or URL*" |
| scribeh_share_stats | Not Included | Limited by "w/50 message* or messenger* or Titan* or inbox* or EntShare* or EntGlobalShare* or Share_count* or tracking_info* or bootcamp* or ████████ or taste* or recommend* or ████████████████ or ██████ or URL*" |
| Nectar and Nectar-related terms ██████████ ████████████ ████████ ██████ | Not Included | While reserving their rights to request documents related to Nectar and Nectar-related terms in the future, Plaintiffs agree to exclude Nectar and Nectar-related search terms from the proposed list at this time. |

**Proposed Custodians:**

1. Matt Jones
2. Scott Renfro
3. Malorie Lucich
4. Mike Vernal
5. Mark Kinsey
6. Austin Haugen

7. Frederic Wolens
8. Caryn Marooney
9. Alex Himel
10. Ray He
11. Dan Fechete
12. Facebook Temp
13. Facebook Email
14. SalesForce
15. Facebook
16. Help Center Internal
17. Facebook Internal
18. Dev Site
19. Wiki
20. Mathew Varghese

**From:** Rajagopalan, Priyanka [mailto:PRajagopalan@gibsondunn.com]
**Sent:** Friday, June 10, 2016 4:52 PM
**To:** Sobol, Michael W.; Rudolph, David T.; Diamand, Nicholas; Gardner, Melissa; Hank Bates; Allen Carney; David Slade
**Cc:** Jessen, Joshua A.; Chorba, Christopher; Maute, Jeana Bisnar; Rogers, Ashley
**Subject:** Campbell v. Facebook

Counsel,

Following up on the discussion at our meet and confer last week, please find below Facebook's further proposal for additional document discovery in this matter (and specifically, document discovery to resolve the issues raised in Plaintiffs' two remaining document-related letter briefs). In crafting this proposal, we have considered the search terms and custodians identified in Mr. Rudolph's April 13 email and Plaintiffs' May 25 predictive coding letter brief, in conjunction with the Court's May 18 class certification order and Plaintiffs' June 7 Second Amended Complaint.

The proposal below is intended to appropriately reflect the class, class period, and challenged practices at issue in this litigation, the role of each custodian in working on or discussing the challenged practices, and the date ranges during which the challenged practices took place. It therefore addresses each search term and custodian Plaintiffs identified on 4/13 and 5/25, and the reasoning for including or not including that term (or a modified version of that term) or custodian in the proposal. For example, some of the proposed search terms were quite broad (e.g., "Taste," "Targeting team," and "Insights") and, as has been the case with the other search terms previously agreed to in this case, our view is that the terms should be tethered to the challenged practices. Our proposal attempts to do that, and, in the interests of compromise, expands the proximity searching from what was used for many of the search terms in the previous round of document collection and production (from "w/25" to "w/50").

With respect to the time period of an additional production, as you know, the parties previously agreed that the relevant time period would extend to the date of the filing of Plaintiffs' initial complaint (December 30, 2013). In light of the new class period, we are willing to compromise and extend that date to the date of

certification (May 18, 2016) for certain of the search terms.  With respect to search terms tied to challenged practices that ceased long ago, we propose earlier end dates.  The details are set forth below, and we are happy to discuss.

We believe our proposal is a fair compromise and is proportional to the needs of the case, but please let us know if you have any questions.  We look forward to discussing this proposal with you further next week.
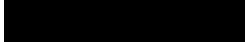
Thanks,
Priyanka

**FACEBOOK PROPOSAL**

**Date Range:** December 30, 2011 (start of class period) – May 18, 2016 (end of class period), *unless otherwise noted below*

**Proposed Search Terms:**

| Term | Include? | Reasoning |
|---|---|---|
| Graph API | Yes, limited by "w/50 (URL w/50 (message* or messenger* or Titan*))" **and ending December 31, 2012** | We propose tailoring this search to your class and your allegations by limiting it to URLs in messages, and tailoring it to the relevant period. |
| "Link_stats" or "link stats" | Yes, limited by "w/50 (URL w/50 (message* or messenger* or Titan*))" **and ending December 31, 2012** | We propose tailoring this search to your class and your allegations by limiting it to URLs in messages, and tailoring it to the relevant period. |
| Targeting roadmap | Yes, limited by "w/50 (URL w/50 (message* or messenger* or Titan*))" | We propose tailoring this search to your class and your allegations by limiting it to URLs in messages. |
| Realtime Metric | Yes, limited by "w/50 (URL w/50 (message* or messenger* or Titan*))" **and ending December 31, 2012** | We propose tailoring this search to your class and your allegations by limiting it to URLs in messages, and tailoring it to the relevant period. |
| Targeting team | Yes, limited by "w/50 (URL w/50 (message* or messenger* or Titan*))" | We propose tailoring this search to your class and your allegations by limiting it to URLs in messages. |

| | | |
|---|---|---|
| ██████████████████ | Yes, limited by "w/50 (URL w/50 (message* or messenger* or Titan*))" **and ending December 31, 2012** | We propose tailoring this search to your class and your allegations by limiting it to URLs in messages, and tailoring it to the relevant period by ending it when URL shares in messages were no longer included in Insights in December 2012. |
| ████████ | Yes, limited by "w/50 (URL w/50 (message* or messenger* or Titan*))" **and ending December 31, 2012** | We propose tailoring this search to your class and your allegations by limiting it to URLs in messages, and tailoring it to the relevant period by ending it when URL shares in messages were no longer included in Insights in December 2012. |
| ██████████████ | Yes, limited by "w/50 (URL w/50 (message* or messenger* or Titan*))" **and ending July 9, 2014, when the backup system was discontinued** | We propose tailoring this search to your class and your allegations by limiting it to URLs in messages, and tailoring it to the relevant period by ending it when the backup system was discontinued on July 9, 2014. |
| ███████████ | Yes, limited by "w/50 (URL w/50 (message* or messenger* or Titan*))" **and ending July 9, 2014, when the backup system was discontinued** | We propose tailoring this search to your class and your allegations by limiting it to URLs in messages, and tailoring it to the relevant period by ending it when the backup system was discontinued on July 9, 2014. |
| Tracking_info | Yes, limited by "w/50 (URL w/50 (message* or messenger* or Titan*))" | We propose tailoring this search to your class and your allegations by limiting it to URLs in messages. |
| EntGlobalShare | Yes, limited by "w/50 (URL w/50 (message* or messenger* or Titan*))" | We propose tailoring this search to your class and your allegations by limiting it to URLs in messages. |
| EntShare | Yes, limited by "w/50 (URL w/50 (message* or messenger* or Titan*))" | We propose tailoring this search to your class and your allegations by limiting it to URLs in messages. |

| | | |
|---|---|---|
| Insights Dashboard | Yes, limited by "w/50 (URL w/50 (message* or messenger* or Titan*))" **and ending December 31, 2012** | We propose tailoring this search to your class and your allegations by limiting it to URLs in messages, and tailoring it to the relevant period by ending it when URL shares in messages were no longer included in Insights in December 2012. |
| Insights (UI) | Yes, limited by "w/50 (URL w/50 (message* or messenger* or Titan*))" **and ending December 31, 2012** | We propose tailoring this search to your class and your allegations by limiting it to URLs in messages, and tailoring it to the relevant period by ending it when URL shares in messages were no longer included in Insights in December 2012. |
| ███████████ | Yes, limited by "w/50 (URL w/50 (message* or messenger* or Titan*))" **and ending December 31, 2012** | We propose tailoring this search to your class and your allegations by limiting it to URLs in messages, and tailoring it to the relevant period by ending it when URL shares in messages were no longer included in Insights in December 2012. |
| Insights logging | Yes, limited by "w/50 (URL w/50 (message* or messenger* or Titan*))" **and ending December 31, 2012** | We propose tailoring this search to your class and your allegations by limiting it to URLs in messages, and tailoring it to the relevant period by ending it when URL shares in messages were no longer included in Insights in December 2012. |
| Insights API | Yes, limited by "w/50 (URL w/50 (message* or messenger* or Titan*))" **and ending December 31, 2012** | We propose tailoring this search to your class and your allegations by limiting it to URLs in messages, and tailoring it to the relevant period by ending it when URL shares in messages were no longer included in Insights in December 2012. |

| | | |
|---|---|---|
| Insights | Yes, limited by "w/50 (URL w/50 (message* or messenger* or Titan*))" **and ending December 31, 2012** | We propose tailoring this search to your class and your allegations by limiting it to URLs in messages, and tailoring it to the relevant period by ending it when URL shares in messages were no longer included in Insights in December 2012. |
| Taste | Yes, limited by "w/50 (URL w/50 (message* or messenger* or Titan*))" **and ending July 9, 2014, when the backup system was discontinued** | We propose tailoring this search to your class and your allegations by limiting it to URLs in messages, and tailoring it to the relevant period by ending it when the backup system was discontinued on July 9, 2014. |

**Search Terms Not Included**: ███████ ; scribeh_share_stats; Nectar and Nectar-related terms ████████████████
████████████████████████ Our view is that these practices are not in the scope of Judge Hamilton's Order or Plaintiffs' June 7 Amended Complaint.

**11 Proposed Custodians:** Alex Himel; Ray He; Dan Fechete; Mike Vernal; Matt Jones; Scott Renfro; Mark Kinsey; Austin Haugen; Frederic Wolens; Malorie Lucich; and Caryn Marooney

**Custodians From David Rudolph's E-mail of April 13, 2016 Not Included:**

| Custodian | Role | Reasoning |
|---|---|---|
| Cat Lee | Program Manager | Did not work on the functionalities at issue. |
| Jeff McCombs | Strategy, Finance and Analytics | Finance-related role. |
| David Fisch | Partnerships | Partnerships/business development role; did not work on the functionalities at issue. |
| Justin Osofsky | Partnerships | Partnerships role; did not work on the functionalities at issue. |
| Ime Archibong | Partnerships | Partnerships role; did not work on the functionalities at issue. |

| | | |
|---|---|---|
| Ethan Beard | Partnerships | Partnerships role; did not work on the functionalities at issue. |
| Douglas Purdy | Developer Relations, then Director of Product, then Director of Engineering | Developer relations role; did not work on the functionalities at issue. |

**Priyanka Rajagopalan**

# GIBSON DUNN

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