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11 *Attorneys for Defendant Facebook, Inc.*

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 13 **UNITED STATES DISTRICT COURT**
 14 **NORTHERN DISTRICT OF CALIFORNIA**
 15 **OAKLAND DIVISION**

16 MATTHEW CAMPBELL and MICHAEL
 HURLEY,

17 Plaintiffs,

18 v.

19 FACEBOOK, INC.,

20 Defendant.
 21
 22

Case No. C 13-05996 PJH-SK

CLASS ACTION

**DECLARATION OF JOSHUA JESSEN IN
 SUPPORT OF FACEBOOK'S STATEMENT
 IN SUPPORT OF FINAL APPROVAL OF
 CLASS ACTION SETTLEMENT AND
 RESPONSE TO OBJECTION**

1 I, Joshua Jessen, declare as follows:

2 1. I am an attorney admitted to practice law before this Court. I am a partner in the law
3 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 Statement in Support of Final Approval of Class Action Settlement and
6 Response to Objection. The following facts are within my personal knowledge or based on
7 knowledge I have acquired from knowledgeable Facebook personnel, and, if called and sworn as a
8 witness, I could and would testify competently to these facts.

9 2. Attached as Exhibit 1 is a true and correct copy of the reporter’s transcript of the
10 Court’s hearing on Plaintiffs’ Motion for Preliminary Approval of Class Action Settlement, on April
11 19, 2017.

12 3. Attached as Exhibit 2 is a true and correct copy of Facebook’s current Data Policy
13 (available at https://www.facebook.com/full_data_use_policy). In January 2015, the Data Policy was
14 updated to state that Facebook collects “the content and other information” that people provide when
15 they use Facebook, including when they “message or communicate with others,” and to explain the
16 ways in which Facebook may use that content.

17 4. The chart below reflects data from Facebook logs of sessions on the Facebook Help
18 Center webpage relevant to the proposed Settlement (that is, the page on which the additional
19 explanatory language referenced in paragraph 40(d) of the Settlement Agreement will be included).
20 A “session” is a series of actions (e.g., a visit to a page) taken by a user in a short period of time. The
21 chart reflects that, in the first six months of 2017, the relevant webpage was visited 369,159 times in
22 the Unites States.

Time Period	Sessions
Jan-17	50,353
Feb-17	73,528
Mar-17	79,498
Apr-17	48,232
May-17	65,561
Jun-17	51,987
2017 - Q1 Total	203,379
2017 - Q2 Total	165,780
2017 - H1 Total	369,159

1 I declare under penalty of perjury under the laws of the United States of America that the
2 foregoing is true and correct and that this declaration was executed on July 10, 2017 in Irvine,
3 California.

4 Joshua A. Jessen
5 Joshua A. Jessen
6

7 **ATTORNEY ATTESTATION**

8 Pursuant to Civil Local Rule 5-1, I, Christopher Chorba, hereby attest that concurrence in the
9 filing of this document has been obtained from Joshua A. Jessen.

10 Dated: July 10, 2017

GIBSON, DUNN & CRUTCHER LLP

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12 By: Christopher Chorba
Christopher Chorba

13 *Attorney for Defendant Facebook, Inc.*
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