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17 *Attorneys for Plaintiffs and the Proposed Class*

18 UNITED STATES DISTRICT COURT

19 NORTHERN DISTRICT OF CALIFORNIA

20 MATTHEW CAMPBELL, MICHAEL  
21 HURLEY, and DAVID SHADPOUR, on  
22 behalf of themselves and all others  
similarly situated,

23 Plaintiffs,

24 v.

25 FACEBOOK, INC.,

26 Defendant.

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Case No. C 13-05996 PJH

**DECLARATION OF MICHAEL W.  
SOBOL IN SUPPORT OF PLAINTIFFS'  
OPPOSITION TO MOTION TO DISMISS**

**HEARING**

Date: September 17, 2014  
Time: 9:00 a.m.  
Place: Courtroom 3, 3rd Floor  
The Honorable Phyllis J. Hamilton

1 I, Michael W. Sobol, declare as follows:

2 1. I am a partner of the law firm Lief Cabraser Heimann & Bernstein, LLP,  
3 representing the Plaintiffs in the above-entitled action. I am a member in good standing of the  
4 State Bar of California. I have personal knowledge of the statements contained in this  
5 Declaration and if called to testify, I could and would testify competently to them.

6 2. Attached as **Exhibit A** is a true and correct copy of Facebook's current Statement  
7 of Rights and Responsibilities, dated November 15, 2013, the text of which is available online at  
8 <https://www.facebook.com/legal/terms>.

9 3. Attached as **Exhibit B** is a true and correct copy of Facebook's current Data Use  
10 Policy, dated November 15, 2013, the text of which is available online at  
11 <https://www.facebook.com/about/privacy/>.

12 4. Attached as **Exhibit C** is a true and correct copy of Senate Report No. 99-541,  
13 dated October 17, 1986.

14 5. Attached as **Exhibit D** is a true and correct copy of a Memorandum of Decision  
15 and Order on Defendant's Motion to Dismiss, in *Marquis v. Google*, No. 11-2808-BLS1 in  
16 Massachusetts Superior Court, dated January 17, 2012.

17 6. Persons under my direction conducted a reasonable search and were unable to  
18 verify the authenticity of the documents submitted as Exhibits B, C, E, and F to the Declaration of  
19 Jeremy Jordan submitted in support of Defendant's Motion to Dismiss.

20  
21 I declare under penalty of perjury that the foregoing is true and correct and that this  
22 Declaration was signed in San Francisco, California, on July 30, 2014.

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24 

25 \_\_\_\_\_  
Michael W. Sobol