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10 UNITED STATES DISTRICT COURT
 11 NORTHERN DISTRICT OF CALIFORNIA
 12 OAKLAND

14 ANTHONY DITIRRO, KATYA BRESLER,
 15 AND MICHELLE SHUMATE, individually
 16 and on behalf of all others similarly situated,

17 Plaintiffs,

18 v.

19 FACEBOOK, INC.,

20 Defendant.

Case No. 5:14-cv-00132-PJH

**[PROPOSED] ORDER GRANTING
 DEFENDANT FACEBOOK, INC.'S MOTION
 TO DISMISS FIRST AMENDED
 COMPLAINT AND REQUEST FOR
 CONSIDERATION OF DOCUMENTS
 INCORPORATED INTO FIRST AMENDED
 COMPLAINT**

Date: June 11, 2014
 Time: 9:00 a.m.
 Courtroom: 3
 Dist. Judge: Hon. Phyllis J. Hamilton
 Trial Date: None Set

1 Defendant Facebook, Inc.'s ("Facebook") Motion to Dismiss Plaintiffs' First Amended
2 Complaint pursuant to Federal Rule of Civil Procedure 12(b)(6) was heard on June 11, 2014 at
3 9:00 a.m. in this Court. Having considered the parties' papers filed in support of and in
4 opposition to the motion, oral argument, and all other materials properly before the Court, the
5 Court issues the following findings and orders:

6 **IT IS HEREBY ORDERED THAT** Facebook's Request for Consideration of Documents
7 Incorporated into First Amended Complaint in support of its Motion to Dismiss is **GRANTED**.

8 The Court further holds and finds as follows:

9 With respect to Count Three of the First Amended Complaint, which alleges false light
10 invasion of privacy, Plaintiffs fail to state a claim upon which relief can be granted.

11 With respect to Count Four of the First Amended Complaint, which alleges violations of
12 California's Unfair Competition Law, Plaintiffs fail to state a claim upon which relief can be
13 granted.

14 With respect to Count Five of the First Amended Complaint, which alleges violations of
15 California's False Advertising Law, Plaintiffs fail to state a claim upon which relief can be
16 granted.

17 With respect to Count Six of the First Amended Complaint, which alleges violations of
18 California's Consumers Legal Remedies Act, Plaintiffs fail to state a claim upon which relief can
19 be granted.

20 With respect to Count Seven of the First Amended Complaint, which alleges negligence,
21 Plaintiffs fail to state a claim upon which relief can be granted.

22 With respect to Count Eight of the First Amended Complaint, which alleges breach of
23 contract, Plaintiffs fail to state a claim upon which relief can be granted.

24 With respect to Count Nine of the First Amended Complaint, which alleges breach of the
25 implied covenant of good faith and fair dealing, Plaintiffs fail to state a claim upon which relief
26 can be granted.

27 With respect to Count Ten of the First Amended Complaint, which alleges unjust
28 enrichment, Plaintiffs fail to state a claim upon which relief can be granted.

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Accordingly, **IT IS HEREBY ORDERED THAT:**
Facebook’s Motion to Dismiss Plaintiffs’ First Amended Complaint is **GRANTED**; and
Counts Three through Ten of Plaintiffs’ First Amended Complaint are hereby **DISMISSED**
WITH PREJUDICE.

IT IS SO ORDERED.

DATED: _____

UNITED STATES DISTRICT JUDGE