

**EXHIBIT 22**

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RECEIVED

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ARNS LAW FIRM

9 FACEBOOK, INC.  
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16 Attorneys for Defendant FACEBOOK, INC.

17 UNITED STATES DISTRICT COURT  
18 NORTHERN DISTRICT OF CALIFORNIA  
19 SAN JOSE DIVISION

20 ANGEL FRALEY; PAUL WANG; SUSAN  
21 MAINZER; JAMES H. DUVAL, a minor, by  
22 and through JAMES DUVAL, as Guardian ad  
23 Litem; and WILLIAM TAIT, a minor, by and  
24 through RUSSELL TAIT, as Guardian ad  
25 Litem; individually and on behalf of all others  
26 similarly situated,

Case No. CV 11-01726 LHK (PSG)

**DEFENDANT FACEBOOK, INC.'S  
RESPONSES AND OBJECTIONS TO  
PLAINTIFFS' REQUESTS FOR ADMISSIONS**

**SETS ONE - FIVE**

27 Plaintiffs,

28 v.

FACEBOOK, INC., a corporation; and DOES  
1-100,

Defendants.

1 **REQUEST FOR ADMISSION NO. 1.3:**

2 Admit that SPONSORED STORIES has been available on FACEBOOK.COM since  
3 January 25, 2011.

4 **RESPONSE TO REQUEST FOR ADMISSION NO. 1.3:**

5 Defendant objects to this Request on the grounds that Plaintiffs' defined term  
6 "SPONSORED STORIES" is vague, ambiguous, and unintelligible for the reasons set forth in  
7 General Objection Number 16, incorporated herein by reference as though fully set forth herein.  
8 Defendant further objects to this Request on the grounds that the phrase "has been available" is  
9 vague, ambiguous and unintelligible in the context of this Request. Defendant further objects to  
10 this Request as premature, as set forth in Defendant's June 21, 2011 Motion for Protective Order.

11 **REQUEST FOR ADMISSION NO. 1.4:**

12 Admit that SPONSORED STORIES are advertisements within the meaning of California  
13 Civil Code section 3344.

14 **RESPONSE TO REQUEST FOR ADMISSION NO. 1.4:**

15 Defendant objects to this Request on the grounds that Plaintiffs' defined term  
16 "SPONSORED STORIES" is vague, ambiguous, and unintelligible for the reasons set forth in  
17 General Objection Number 16, incorporated herein by reference as though fully set forth herein.  
18 Defendant further objects to this Request as calling for a legal conclusion. Defendant further  
19 objects to this Request as premature, as set forth in Defendant's June 21, 2011 Motion for  
20 Protective Order.

21 **REQUEST FOR ADMISSION NO. 1.5:**

22 Admit that SPONSORED STORIES is an advertising service provided by FACEBOOK  
23 to advertisers.

24 **RESPONSE TO REQUEST FOR ADMISSION NO. 1.5:**

25 Defendant objects to this Request on the grounds that Plaintiffs' defined term  
26 "SPONSORED STORIES" is vague, ambiguous, and unintelligible for the reasons set forth in  
27 General Objection Number 16, incorporated herein by reference as though fully set forth herein.  
28 Defendant further objects to this Request on the grounds that the phrase "advertising service" is

1 vague, ambiguous and unintelligible. Defendant further objects to this Request as calling for a  
2 legal conclusion. Defendant further objects to this Request as premature, as set forth in  
3 Defendant's June 21, 2011 Motion for Protective Order.

4 **REQUEST FOR ADMISSION NO. 1.6:**

5 Admit that SPONSORED STORIES are advertisements to MEMBERS.

6 **RESPONSE TO REQUEST FOR ADMISSION NO. 1.6:**

7 Defendant objects to this Request on the grounds that Plaintiffs' defined term  
8 "SPONSORED STORIES" is vague, ambiguous, and unintelligible for the reasons set forth in  
9 General Objection Number 16, incorporated herein by reference as though fully set forth herein.  
10 Defendant further objects to this Request on the grounds that the phrase "advertisements to  
11 MEMBERS" is vague, ambiguous and unintelligible. Defendant further objects to this Request as  
12 calling for a legal conclusion. Defendant further objects to this Request as premature, as set forth  
13 in Defendant's June 21, 2011 Motion for Protective Order.

14 **REQUEST FOR ADMISSION NO. 1.7:**

15 Admit that MEMBERS whose IDENTITIES (*when applied to a MEMBER, means full*  
16 *name, photograph, voice, signature, likeness and identity of that MEMBER as known by YOU*)  
17 are used in a SPONSORED STORY advertisement are not compensated for such use.

18 **RESPONSE TO REQUEST FOR ADMISSION NO. 1.7:**

19 Defendant objects to this Request as calling for an admission with no relevance that is not  
20 reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects  
21 to this Request on the grounds that Plaintiffs' defined term "SPONSORED STORY" is vague,  
22 ambiguous, and unintelligible for the reasons set forth in General Objection Number 16,  
23 incorporated herein by reference as though fully set forth herein. Defendant further objects to the  
24 premise of this Request, including the suggestion that Sponsored Stories are advertisements that  
25 use members' identities. Defendant further objects to this Request as the term "compensated"  
26 and phrase "such use" are vague, ambiguous and unintelligible. Defendant further objects to this  
27 Request on the grounds that Plaintiffs' defined term "IDENTITIES" is vague, ambiguous, and  
28 unintelligible for the reasons set forth in General Objection Number 18, incorporated herein by

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16 and through JAMES DUVAL, as Guardian ad  
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17 through RUSSELL TAIT, as Guardian ad  
Litem; individually and on behalf of all others  
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21 FACEBOOK, INC., a corporation; and DOES  
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22 Defendants.  
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Case No. CV 11-01726 LHK (PSG)

**DEFENDANT FACEBOOK, INC.'S  
AMENDED RESPONSES AND OBJECTIONS  
TO PLAINTIFFS' REQUESTS FOR  
ADMISSIONS**

**SETS ONE - FIVE**

24 **PURSUANT TO THE PARTIES' STIPULATED PROTECTIVE ORDER**

25 **REQUESTS NO. 1.3 AND 4.9 DESIGNATED: CONFIDENTIAL**  
26  
27  
28

1 between you and us, without regard to conflict of law provisions.” Except as otherwise expressly  
2 admitted, this Request is denied.

3 **REQUEST FOR ADMISSION NO. 1.2:**

4 Admit that FACEBOOK created SPONSORED STORIES (*the content found at*  
5 *FACEBOOK.COM and the scheme by which it is generated, known by that NAME, and offered as*  
6 *an advertising service by FACEBOOK. The term also includes the system which generates and*  
7 *delivers SPONSORED STORIES content*).

8 **RESPONSE TO REQUEST FOR ADMISSION NO. 1.2:**

9 Defendant objects to this Request on the grounds that Plaintiffs’ defined term  
10 “SPONSORED STORIES” is overly broad, vague, and ambiguous for the reasons set forth in  
11 General Objection Number 11, incorporated herein by reference as though fully set forth herein.  
12 Defendant will construe “SPONSORED STORIES” as set forth in its General Objections.  
13 Defendant objects to this Request on the grounds that the term “created” is vague and ambiguous  
14 in the context of this Request. Subject to and without waiving the General and Specific  
15 Objections, Defendant responds as follows:

16 Facebook admits that it developed and implemented the service and process through  
17 which user-created content may be republished on Facebook web pages as Sponsored Stories,  
18 subject to users’ account and privacy settings. Except as otherwise expressly admitted, this  
19 Request is denied.

20 **REQUEST FOR ADMISSION NO. 1.3:**

21 Admit that SPONSORED STORIES has been available on FACEBOOK.COM since  
22 January 25, 2011.

23 **RESPONSE TO REQUEST FOR ADMISSION NO. 1.3:**

24 Defendant objects to this Request on the grounds that Plaintiffs’ defined term  
25 “SPONSORED STORIES” is overly broad, vague, and ambiguous for the reasons set forth in  
26 General Objection Number 11, incorporated herein by reference as though fully set forth herein.  
27 Defendant will construe “SPONSORED STORIES” as set forth in its General Objections.  
28 Defendant further objects to this Request on the grounds that the phrase “has been available” is

1 vague and ambiguous in the context of this Request. Subject to and without waiving the General  
2 and Specific Objections, Defendant responds as follows:

3 \*\*\*\*\*

4 **CONFIDENTIAL**

5 Facebook admits that the official launch of Sponsored Stories on Facebook.com occurred  
6 on January 25, 2011. Facebook ran limited (unpaid) tests of Sponsored Stories on Facebook.com  
7 beginning in approximately October 2010.

8 **CONFIDENTIAL**

9 \*\*\*\*\*

10 **REQUEST FOR ADMISSION NO. 1.4:**

11 Admit that SPONSORED STORIES are advertisements within the meaning of California  
12 Civil Code section 3344.

13 **RESPONSE TO REQUEST FOR ADMISSION NO. 1.4:**

14 Defendant objects to this Request on the grounds that Plaintiffs' defined term  
15 "SPONSORED STORIES" is overly broad, vague, and ambiguous for the reasons set forth in  
16 General Objection Number 11, incorporated herein by reference as though fully set forth herein.  
17 Defendant will construe "SPONSORED STORIES" as set forth in its General Objections.  
18 Defendant further objects to this Request as calling for a legal conclusion. Subject to and without  
19 waiving the General and Specific Objections, Defendant responds as follows:

20 Facebook denies this Request.

21 **REQUEST FOR ADMISSION NO. 1.5:**

22 Admit that SPONSORED STORIES is an advertising service provided by FACEBOOK  
23 to advertisers.

24 **RESPONSE TO REQUEST FOR ADMISSION NO. 1.5:**

25 Defendant objects to this Request on the grounds that Plaintiffs' defined term  
26 "SPONSORED STORIES" is overly broad, vague, and ambiguous for the reasons set forth in  
27 General Objection Number 11, incorporated herein by reference as though fully set forth herein.  
28 Defendant will construe "SPONSORED STORIES" as set forth in its General Objections.

1 Defendant further objects to this Request on the grounds that the phrase “advertising service” is  
2 vague and ambiguous in the context of this Request. Defendant further objects to this Request as  
3 calling for a legal conclusion. Subject to and without waiving the General and Specific  
4 Objections, Defendant responds as follows:

5 Facebook admits that some third parties pay a fee to have user-generated stories that are  
6 eligible to appear in users’ Facebook Friends’ News Feeds, subject to the users’ account and  
7 privacy settings, redisplayed on certain pages on Facebook.com. Except as otherwise expressly  
8 admitted, this Request is denied.

9 **REQUEST FOR ADMISSION NO. 1.6:**

10 Admit that SPONSORED STORIES are advertisements to MEMBERS.

11 **RESPONSE TO REQUEST FOR ADMISSION NO. 1.6:**

12 Defendant objects to this Request on the grounds that Plaintiffs’ defined terms  
13 “MEMBERS” and “SPONSORED STORIES” are overly broad, vague, and ambiguous for the  
14 reasons set forth in General Objection Numbers 10 and 11, incorporated herein by reference as  
15 though fully set forth herein. Defendant will construe “MEMBERS” and “SPONSORED  
16 STORIES” as set forth in its General Objections. Defendant further objects to this Request on the  
17 grounds that the phrase “advertisements to MEMBERS” is vague and ambiguous in the context of  
18 this Request. Defendant further objects to this Request as calling for a legal conclusion. Subject  
19 to and without waiving the General and Specific Objections, Defendant responds as follows:

20 Facebook denies this Request.

21 **REQUEST FOR ADMISSION NO. 1.7:**

22 Admit that MEMBERS whose IDENTITIES (*when applied to a MEMBER, means full*  
23 *name, photograph, voice, signature, likeness and identity of that MEMBER as known by YOU*)  
24 are used in a SPONSORED STORY advertisement are not compensated for such use.

25 **RESPONSE TO REQUEST FOR ADMISSION NO. 1.7:**

26 Defendant objects to this Request on the grounds that Plaintiffs’ defined terms  
27 “MEMBERS” and “SPONSORED STORY” are overly broad, vague, and ambiguous for the  
28 reasons set forth in General Objection Numbers 10 and 11, incorporated herein by reference as