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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA – SAN JOSE DIVISION

Case No. 5:12-MD-2314-EJD

IN RE FACEBOOK INTERNET
TRACKING LITIGATION

**STIPULATED REQUEST AND
~~PROPOSED~~ ORDER REGARDING
POST-DISTRIBUTION ACCOUNTING**

THIS DOCUMENT RELATES TO
ALL ACTIONS

Pursuant to Civil Local Rule 6-2, Plaintiffs Perrin Davis, Cynthia Quinn, Brian Lentz, and Matthew Vickery (“Plaintiffs”) and Defendant Meta Platforms, Inc. (“Meta”) (collectively “the Parties”), by and through their respective counsel, stipulate and agree as follows, subject to Court approval:

WHEREAS, on November 10, 2022, the Court issued the Order Granting Motion for Final Approval of Class Action Settlement; Granting Motion for Attorneys’ Fees, Expenses, and Service Awards; Judgment (the “Order”) (ECF No. 289) and therein set a compliance deadline of **February 10, 2023** to file a post-distribution accounting in accordance with this District’s Procedural Guidance for Class Action Settlements;

WHEREAS, on December 8, 2022, objectors Sarah Feldman, Hondo Jan and Eric Alan Isaacson filed notices of appeal (the “Objector Appeals”), *see* ECF No. 293 (Feldman and Jan) and ECF No. 294 (Isaacson);

WHEREAS, the Settlement Agreement provides for distribution of the Settlement Payments to Settlement Class Members following the “Effective Date,” which does not occur until the Objector Appeals are resolved, *see* Settlement Agreement (ECF No. 233-1) at Sections 1.13 (“Effective Date” defined) and 4.9 (Settlement Payments to Settlement Class Members to be distributed after “Effective Date”); and

WHEREAS, in light of the Objector Appeals, the Effective Date is now indefinitely delayed until such appeals are resolved by the Ninth Circuit.

THEREFORE, IT IS HEREBY STIPULATED AND AGREED that, subject to Court approval, the February 10, 2023 deadline for post-distribution accounting shall be stayed pending resolution of the Objector Appeals; and the Parties, in consultation with Claims Administrator Angeion Group, will propose a new deadline to the Court promptly after resolution of the Objector Appeals.

1 Dated: February 7, 2023

COOLEY LLP

2 /s/ Kyle C. Wong

3 Kyle C. Wong

4 Attorney for Defendant

Meta Platforms, Inc.

6 Dated: February 7, 2023

DICELLO LEVITT LLC

7 /s/ David A. Straite

8 David A. Straite (admitted *pro hac vice*)

9 Counsel for Plaintiffs

10 Dated: February 7, 2023

GRYGIEL LAW LLC

11 /s/ Stephen G. Grygiel

12 Stephen G. Grygiel (admitted *pro hac vice*)

13 Counsel for Plaintiffs

15 Dated: February 7, 2023

SIMMONS HANLY CONROY LLC

16 /s/ Jason "Jay" Barnes

17 Jason "Jay" Barnes (admitted *pro hac vice*)

18 Counsel for Plaintiffs

19
20 **ATTESTATION PURSUANT TO CIVIL LOCAL RULE 5-1(h)(3)**

21 I, David A. Straite, attest that concurrence in the filing of this document has been obtained
22 from the other signatories. I declare under penalty of perjury that the foregoing is true and correct.

23 Executed this 7th day of February, 2023, at New York, NY.

24
25 /s/ David A. Straite

26 David A. Straite

~~**PROPOSED**~~ **ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: February 7, 2023



The Honorable Edward J. Davila
United States District Judge