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7 Attorneys for Plaintiffs

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 11 UNITED STATES DISTRICT COURT  
 12 NORTHERN DISTRICT OF CALIFORNIA  
 13 SAN JOSE DIVISION

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 15 ANGEL FRALEY; PAUL WANG; SUSAN  
 16 MAINZER; JAMES H. DUVAL, a minor,  
 17 by and through JAMES DUVAL, as  
 18 Guardian ad Litem; and W. T., a minor, by  
 and through RUSSELL TAIT, as Guardian  
 ad Litem; individually and on behalf of all  
 others similarly situated,

19 Plaintiffs,

20 v.

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

23 Defendants.

Case No. CV 11-01726 LHK

24  
 25 **NOTICE OF MOTION AND  
 MOTION FOR CLASS  
 CERTIFICATION**

26 Date: May 24, 2012  
 27 Time: 1:30 p.m.  
 Courtroom: 8  
 Judge: Hon. Lucy H. Koh  
 Trial Date: December 3, 2012

**NOTICE OF MOTION AND MOTION FOR CLASS CERTIFICATION**

TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

PLEASE TAKE NOTICE THAT on May 24, 2012, at 1:30 p.m., or as soon thereafter as counsel may be heard, Plaintiffs and proposed Class representatives Susan Mainzer, James H. Duval through his guardian ad litem James Duval, W.T., through his guardian ad litem Russell Tait, ("Plaintiffs") shall bring on for hearing before the Honorable Lucy H. Koh, United States District Judge, in the United States District Courthouse, San Jose Division, Courtroom 8, 280 South First St., San Jose, CA, 95113, their Motion for class certification.

This Motion will be based on this Notice, the Memorandum of Law in Support, the Declarations of Robert S. Arns, Steven R. Weinmann, Kevin M. Osborne, Jonathan M. Jaffe, Vincent Alberico, Richard Drogin, Gary Frazier, Fernando Torres, and David Taber, and the files of the Court in this action.

**RELIEF SOUGHT**

The Motion seeks an Order: (1) certifying the proposed Class under Rule 23(b)(3) of the Federal Rules of Civil Procedure, or in the alternative, certification under F.R.C.P. Rule 23(b)(2) or Rule 23(c)(4), (2) appointing Plaintiffs as Class Representatives and (3) appointing their counsel as Class Counsel.

**STATEMENT OF ISSUES TO BE DECIDED**

1. Whether this action and its proposed Class, as defined in the accompanying Memorandum of Law, shall be certified under Rule 23(b)(3) of the Federal Rules of Civil Procedure, or in the alternative, certification under F.R.C.P. Rule 23(b)(2) or Rule 23(c)(4). Rule 23 of the Federal Rules of Civil Procedure.

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2. Whether Susan Mainzer, James H. Duval through his guardian ad litem James Duval, and W.T. through his guardian ad litem Russell Tait, shall be appointed Class Representatives.
  3. Whether The Arns Law Firm and Jonathan Jaffe Law shall be appointed as Class Counsel.

**THE ARNS LAW FIRM**

By: \_\_\_\_\_

Robert S. Arns

Jonathan E. Davis

By: \_\_\_\_\_

Steven R. Weinmann

**JONATHAN JAFFE LAW**

By: /s/ Jonathan M. Jaffe

JONATHAN M. JAFFE

Attorneys for Plaintiffs