

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

IN RE: FACEBOOK, INC. CONSUMER  
PRIVACY USER PROFILE LITIGATION

MDL No. 2843

Case No. 18-md-02843-VC

This document relates to:

ALL ACTIONS

**PRETRIAL ORDER NO. 36: ORDER  
GRANTING IN PART AND DENYING  
IN PART MOTION TO COMPEL  
DISCOVERY**

Re: Dkt. No. 374

The plaintiffs' motion to compel discovery dating back to 2007 (rather than 2009, as Facebook proposes) is granted. It is highly plausible that documents dating back to 2007 could be probative of Facebook's intent regarding the future handling of users' private information. However, given the anticipated volume of the document productions, it appears unreasonable to require Facebook to produce privilege logs 30 days following production. Therefore, this aspect of the motion to compel is denied. Because it appears likely that the Court will ultimately be called upon to adjudicate disputes about whether Facebook has properly withheld documents on privilege grounds, and because those disputes could be important to the outcome of the case, the parties are directed to confer further and devise a system that allows Facebook sufficient time to prepare meaningful privilege logs without unduly delaying the proceedings.

**IT IS SO ORDERED.**

Dated: March 3, 2020



VINCE CHHABRIA  
United States District Judge