

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

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| IN RE: FACEBOOK, INC. CONSUMER<br>PRIVACY USER PROFILE<br>LITIGATION | MDL No. 2843<br>Case No. 18-md-02843-VC   |
| This document relates to:<br><i>All Actions</i>                      | <b>PRETRIAL ORDER NO. 41: AMENDED<br/>ORDER APPOINTING SPECIAL<br/>DISCOVERY MASTER</b> |


Pursuant to Rule 53(a) and with the consent of the parties, Daniel Garrie of JAMS is appointed as the special discovery master in this case. For any discovery dispute, the parties must first make a good faith effort to resolve it, and if necessary they may seek the assistance of mediator Gail Andler (along with Mr. Garrie, who shall also continue in his role as mediator). If the parties are unable to resolve their dispute informally, they may present it to Mr. Garrie in accordance with an expedited protocol that he establishes, and he will issue a ruling. Mr. Garrie's fees and reasonable expenses relating to his duties as special master shall be allocated as follows: 50 percent to be paid by the plaintiffs and 50 percent to be paid by the defendants. Mr. Garrie may shift fees if a party seeks such relief and shows good cause.

As agreed by the parties, Mr. Garrie's rulings may only be appealed to Judge Corley, and her ruling may not be appealed to the district judge. Any party wishing to appeal a ruling by Mr. Garrie must file a letter with Judge Corley no more than seven days following the issuance of Mr. Garrie's ruling. The letter may not exceed three pages, single-spaced (excluding signature block), and it must clearly indicate which portion or portions of the ruling the party is appealing.

The opposing side may file a response, again not to exceed three pages, no later than seven days after the appeal letter is filed. The appeal notice shall attach all briefs and exhibits submitted to Mr. Garrie by both sides in connection with the dispute, in chronological order. The parties should assume that Judge Corley will decide the appeal on the papers. She will schedule a hearing if necessary.

**IT IS SO ORDERED.**

Dated: January 20, 2022

  
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VINCE CHHABRIA  
United States District Judge