

NOTICE OF PROPOSED SETTLEMENT OF CLASS ACTION

If you are a person who, between April 22, 2010 and September 26, 2011, inclusive, were a Facebook User in the United States who visited non-Facebook websites that displayed the Facebook Like button, you may be eligible for a payment from a Class Action Settlement.

A federal court authorized this Notice. You are not being sued. This is not a solicitation from a lawyer.

- A Settlement¹ has been reached between Defendant Meta Platforms, Inc., formerly Facebook, Inc. (“Meta” or “Defendant”) and Plaintiffs in a class action lawsuit pending in the United States District Court for the Northern District of California.
- You are included in this Settlement as a Settlement Class Member if, between April 22, 2010 and September 26, 2011 inclusive, you were a Facebook User in the United States who visited non-Facebook websites that displayed the Facebook Like button.
- The lawsuit is known as *In Re Facebook Internet Tracking Litigation*, Case No. 5:12-MD-02314-EJD (N.D. California). Defendant denies that it violated any law but has agreed to the Settlement to avoid the costs and risks associated with continuing this case.
- Your rights are affected whether you act or don’t act. Please read this Notice carefully.

SUMMARY OF YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT		DEADLINE
SUBMIT A CLAIM	The only way to receive a payment from this Settlement is by submitting a timely and properly completed Claim Form that obtains approval from the Settlement Administrator. The Claim Form must be submitted no later than September 22, 2022. You can submit your Claim Form online at www.FBInternetTrackingSettlement.com or download the claim from the Settlement Website and mail it to the Settlement Administrator. If your claim is approved by the Settlement Administrator, you will give up the right to sue the Defendant in a separate lawsuit about the legal claims this Settlement resolves.	September 22, 2022

¹ All capitalized terms not defined herein have the same meaning as in the Settlement Agreement, which can be viewed at www.FBInternetTrackingSettlement.com.

OPT OUT OF THE SETTLEMENT	You can choose to opt out of the Settlement and receive no payment. This option allows you to sue, continue to sue, or be part of another lawsuit against the Defendant related to the legal claims resolved by this Settlement.	September 12, 2022
OBJECT TO THE SETTLEMENT AND/OR ATTEND A HEARING	If you do not exclude yourself from the Settlement, you may object to it by writing to the Court about why you don't like the Settlement. If you object, you may also file a claim for a payment. You may object to the Settlement and ask the Court for permission to speak at the Final Approval Hearing about your objection.	September 12, 2022
DO NOTHING	Unless you exclude yourself, you are automatically part of the Settlement. If you do nothing, you will not get a payment from this Settlement and you will give up the right to sue, continue to sue, or be part of another lawsuit against the Defendant related to the legal claims resolved by this Settlement.	No Deadline

- These rights and options—**and the deadlines to exercise them**—are explained in this Notice.
- The Court in charge of this case still has to decide whether to approve the Settlement.

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BASIC INFORMATION

1. Why was this Notice issued?

A federal court authorized this Notice because you have a right to know about the proposed Settlement of this class action lawsuit and about all of your options before the Court decides whether to grant final approval of the Settlement. This Notice explains the lawsuit, your legal rights, what benefits are available, and who can receive them.

The Honorable Edward J. Davila of the United States District Court for the Northern District of California is overseeing this class action. The case is known as *In Re Facebook Internet Tracking Litigation*, Case No. 5:12-MD-02314-EJD (N.D. Cal.). The people that filed this lawsuit are called the “Plaintiffs” and the company they sued, Meta Platforms, Inc. (formerly Facebook, Inc.), is called the “Defendant.”

2. What is this lawsuit about?

This lawsuit alleges that the Defendant improperly obtained and collected data from Facebook Users in the United States who visited non-Facebook websites that displayed the Facebook Like button between April 22, 2010 and September 26, 2011, inclusive. The Defendant expressly denies any liability or wrongdoing whatsoever.

3. What is a class action?

In a class action, one or more individuals sue on behalf of other people with similar claims. Together, the people included in the class action are called a class or class members. One court resolves the lawsuit for all class members, except for those who exclude themselves from a settlement. In this Settlement, the Settlement Class Representatives are Perrin Davis, Cynthia Quinn, Brian Lentz, Matthew Vickery, Ryan Ung, Chi Cheng, and Alice Rosen.

4. Why is there a Settlement?

The Court did not decide in favor of Plaintiffs or Defendant. Defendant further denies all claims and that it violated any law. Plaintiffs and Defendant agreed to a Settlement to avoid the costs and risks of a trial, and the Settlement Class Members can receive payments from the Settlement. The Settlement Class Representatives and their attorneys think the Settlement is best for all Settlement Class Members.

WHO IS IN THE SETTLEMENT?

5. Who is in the Settlement?

The Settlement Class includes all persons who, between April 22, 2010 and September 26, 2011, inclusive (the “Settlement Class Period”), were Facebook Users in the United States that visited non-Facebook websites that displayed the Facebook Like button.

6. Are there exceptions to being included?

Yes. The Settlement Class does not include: (a) Meta and any and all of its predecessors, successors, assigns, parents, subsidiaries, affiliates, directors, officers, employees, agents, representatives, and attorneys, and any and all of the parents’, subsidiaries’, and affiliates’ present and former predecessors, successors, assigns, directors, officers, employees, agents, representatives, and attorneys; (b) any

judicial officer presiding over the Actions, or any member of his or her immediate family or of his or her judicial staff; (c) any Excluded Settlement Class Member; (d) the Settlement Administrator and any and all of its predecessors, successors, assigns, parents, subsidiaries, affiliates, directors, officers, employees, agents, representatives, and attorneys, and any and all of the parents', subsidiaries', and affiliates' present and former predecessors, successors, assigns, directors, officers, employees, agents, representatives, and attorneys; and (e) Lead Class Counsel and any and all of their predecessors, successors, assigns, parents, subsidiaries, affiliates, directors, officers, employees, agents, representatives, and attorneys.

If you are not sure whether you are included in the Settlement Class, you can ask for free help by emailing the Settlement Administrator at info@FBInternetTrackingSettlement.com or calling the Settlement Administrator at **1-844-665-0905**. You may also view the Settlement Agreement at www.FBInternetTrackingSettlement.com.

THE SETTLEMENT BENEFITS

7. What does the Settlement provide?

If the Settlement is approved by the Court, Defendant will establish a Settlement Fund of ninety million dollars (\$90,000,000.00) to pay all valid claims submitted by the Settlement Class Members, as well as notice and administration expenses, attorneys' fees and expenses, and service awards for the Settlement Class Representatives.

As non-financial consideration for the Settlement, if approved by the Court, Defendant will delete to the extent not already deleted from all of Defendant's potentially relevant systems all cookie data (i) that Facebook received or collected from, about, or associated with Facebook Users in the United States who visited non-Facebook websites that displayed the Facebook Like button between April 22, 2010 and September 26, 2011, and (ii) that may be used to identify a specific Facebook User from Facebook cookies.

8. How much will my payment be?

The total amount distributed to the Settlement Class Members shall be the Settlement Fund and any interest earned thereon, less the Administrative Costs, any amount awarded by the Court for any Fee and Expense Award to Settlement Class Counsel, and any Service Awards. This amount to be distributed to the Settlement Class Members is the Net Settlement Fund.

If you submit an Approved Claim and have not submitted a valid and timely request for exclusion from the Settlement Class, you will receive an *equal* share of the Net Settlement Fund. All payments to Settlement Class Members who have not sought to exclude themselves and who have submitted valid and timely claims will be in equal amounts. No such Settlement Class Member will receive a greater, or lesser, payment than any other Settlement Class Member.

9. What claims am I releasing if I stay in the Settlement Class?

Unless you exclude yourself from the Settlement, you cannot sue, continue to sue, or be part of any other lawsuit against the Defendant about any of the legal claims this Settlement resolves. The “Released Claims” section in the Settlement Agreement describes the legal claims that you give up (“release”) if you remain in the Settlement Class. The Settlement Agreement can be found at www.FBInternetTrackingSettlement.com.

HOW TO GET A PAYMENT—MAKING A CLAIM

10. How do I submit a claim and get a cash payment?

Claim Forms may be submitted online at www.FBInternetTrackingSettlement.com or printed from the website and mailed to the Settlement Administrator at: *Facebook Internet Tracking Litigation*, c/o Settlement Administrator, 1650 Arch Street, Suite 2210, Philadelphia, PA 19103.

You may also contact the Settlement Administrator to request a Claim Form by telephone 1-844-665-0905, by email info@FBInternetTrackingSettlement.com, or by U.S. mail at *Facebook Internet Tracking Litigation*, c/o Settlement Administrator, 1650 Arch Street, Suite 2210, Philadelphia, PA 19103.

11. What is the deadline for submitting a claim?

If you submit a claim by U.S. mail, the completed and signed Claim Form must be postmarked by **September 22, 2022**. If submitting a Claim Form online, you must do so by **11:59 p.m. PST on September 22, 2022**.

12. When will I get my payment?

The Court has scheduled a Final Fairness Hearing for the Settlement of this case on October 27, 2022 at 9:00 a.m. PST to consider: (1) whether to approve the Settlement; (2) any objections; (3) the requests for awards to the Settlement Class Representatives; and (4) the request for an award of attorneys’ fees, costs and expenses to Settlement Class Counsel for their work in this litigation. If the Court approves the Settlement, there may be appeals. It is always uncertain whether appeals will be filed and, if so, how long it will take to resolve them. Settlement payments will be distributed as soon as possible, if and when the Court grants Final Approval of the Settlement and after any appeals are resolved.

The briefs and declarations in support of the Final Approval of the Settlement and the requests described above will be posted on the Settlement Website, www.FBInternetTrackingSettlement.com, after they are filed. You may ask to appear at the hearing but you do not have to appear. The date and

time of the Final Approval Hearing is also subject to modification by the Court. Please review the Settlement Website for any updated information regarding the final hearing.

THE LAWYERS REPRESENTING YOU

13. Do I have a lawyer in the case?

Yes. The Court has appointed the law firms of DiCello Levitt Gutzler LLC, Grygiel Law LLC, and Simmons Hanly Conroy LLC to represent the Settlement Class as Lead Class Counsel. You will not be charged for their services.

14. Should I get my own lawyer?

You do not need to hire your own lawyer because Lead Class Counsel works for you. If you want to be represented by your own lawyer, you may hire one at your own expense.

15. How will the lawyers be paid?

Lead Class Counsel will ask the Court for an award of attorneys' fees not to exceed 29% of the Settlement Fund, and expenses not to exceed \$600,000. They will also ask the Court to approve a service award for each of the Settlement Class Representatives not to exceed \$5,000 each. The Court may award less than these amounts. If approved, these fees, costs and awards will be paid from the Settlement Fund.

EXCLUDING YOURSELF FROM THE SETTLEMENT

16. How do I opt out of the Settlement?

If you do not want to receive any benefits from the Settlement, and you want to keep your right, if any, to separately sue the Defendant about the legal issues in this case, you must take steps to exclude yourself from the Settlement Class. This is called "opting out" of the Settlement Class. The deadline for requesting exclusion from the Settlement is **September 12, 2022**.

To exclude yourself from the Settlement, you must submit a completed and signed Opt-Out Form online at www.FBInternetTrackingSettlement.com or by U.S. mail at the below address. Alternatively, you can submit a written request for exclusion that includes: (1) your name; (2) your current address; (3) a clear and explicit statement that you wish to be excluded from the Settlement - *In Re Facebook Internet Tracking Litigation*, Case No. 5:12-MD-02314-EJD (N.D. Cal.); and (4) your signature. Your request for exclusion must be submitted online at www.FBInternetTrackingSettlement.com or via U.S. mail at the address below:

Facebook Internet Tracking Litigation
ATTN: Exclusion Request
PO Box 58220
Philadelphia, PA 19102

If you exclude yourself, you are stating to the Court that you do not want to be part of the Settlement. You will not be eligible to receive a payment if you exclude yourself.

If submitted electronically, the Opt-Out Form or any written request to opt-out must be submitted no later than 11:59 p.m. PST on or before **September 12, 2022**.

If submitted by U.S. mail, the Opt-Out Form or any written request to opt-out must be postmarked no later than **September 12, 2022**.

COMMENTING ON OR OBJECTING TO THE SETTLEMENT

17. How do I tell the Court if I do not like the Settlement?

If you are a Settlement Class Member, you can object to the Settlement if you do not like it or a portion of it. You can give reasons why you think the Court should not approve it. The Court will consider your views.

Your Objection must include: (i) the case name and number: *In Re Facebook Internet Tracking Litigation*, Case No. 5:12-MD-02314-EJD (N.D. Cal.); (ii) the Objector's full name, address, telephone number, email address; Facebook account URL (if reasonably available); the email address and telephone number associated with the Settlement Class Member's Facebook account, and his or her signature; (iii) the full name, address, telephone number, and email address of the Objector's counsel (if the Objector is represented by counsel); and (iv) the grounds for the Objection, including any legal and factual support and any evidence in support of the Objection.

Any comments or Objections from Settlement Class Members regarding the proposed Settlement Agreement must be submitted in writing to the Court either by mailing them to the Class Action Clerk, United States District Court for the Northern District of California; or by filing them in person at any location of the United States District Court for the Northern District of California, and they must be filed or postmarked on or before **September 12, 2022**.

**Class Action Clerk
United States District Court for the Northern District of California
280 South 1st Street
San Jose, California 95113**

You or your attorney may speak at the Final Approval Hearing about your objection. To do so, you must include a statement in your objection indicating that you or your attorney intend to appear at the Final Approval Hearing.

18. What is the difference between objecting and excluding?

Objecting is telling the Court that you do not like something about the Settlement. You can object to the Settlement only if you do not exclude yourself from the Settlement. Excluding yourself from the Settlement is opting out and stating to the Court that you do not want to be part of the Settlement. If you opt out of the Settlement, you cannot object to it because it no longer affects you.

THE COURT'S FINAL APPROVAL HEARING

19. When is the Court's Final Approval Hearing?

The Court has scheduled a Final Approval Hearing at **9:00 a.m.** PST on **October 27, 2022**. If the hearing proceeds **in person**, it will be held at the San Jose Courthouse, Courtroom 4—5th Floor, 280 South 1st Street, San Jose, CA 95113. If the Court holds the hearing **by video conference**, it may be accessed here:

<https://cand-uscourts.zoomgov.com/j/1604896302?pwd=b0ZTckVxODFCMm1rcjRvSGFMMjVRUT09>

Webinar ID: 160 489 6302

Password: 544953

At the Final Approval Hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate. The Court will also consider whether to approve Lead Class Counsel's request for an award of attorneys' fees and expenses, as well as the Settlement Class Representatives' service awards. If there are objections, the Court will consider them. Judge Davila will listen to people who have asked to speak at the hearing (see Question 17 above). After the hearing, the Court will decide whether to approve the Settlement.

The date or time of the Final Approval Hearing may change. Please check the Settlement Website, **www.FBInternetTrackingSettlement.com**, for any updates, and to find out whether the Final Approval Hearing will be held in person or by video conference.

20. Do I have to come to the Final Approval Hearing?

No. Lead Class Counsel will answer any questions the Court may have. You may attend at your own expense if you wish. If you submit an objection, you do not have to come to the Final Approval Hearing to talk about it. If you submit your written objection on time, the Court will consider it. You may also pay your own lawyer to attend, but such attendance is not necessary for the Court to consider an objection that was filed on time.

IF I DO NOTHING

21. What happens if I do nothing at all?

If you are a Settlement Class Member and you do nothing, you will give up the rights explained in Question 9, including your right to start a lawsuit, continue a lawsuit, or be part of any other lawsuit against the Defendant and the Released Parties about the legal issues resolved by this Settlement. In addition, you will not receive a payment from this Settlement.

GETTING MORE INFORMATION

22. How do I get more information?

This Notice summarizes the proposed Settlement. Complete details are provided in the Settlement Agreement. The Settlement Agreement and other related documents are available at the Settlement Website, www.FBInternetTrackingSettlement.com.

If you have additional questions, you may contact the Settlement Administrator by email, phone, or mail:

Email: info@FBInternetTrackingSettlement.com

Toll-Free: 1-844-665-0905

Mail: *Facebook Internet Tracking Litigation*, c/o Settlement Administrator, 1650 Arch Street, Suite 2210, Philadelphia, PA 19103

Publicly filed documents can also be obtained by visiting the office of the Clerk of the United States District Court for the Northern District of California or reviewing the Court's online docket.