

FILED
SAN MATEO COUNTY

AUG 25 2020

By  Clerk of the Superior Court
DEPUTY CLERK

SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN MATEO

**SELENA SCOLA, ERIN ELDER, GABRIEL RAMOS,
APRIL HUTCHINS, KONICA RITCHIE, ALLISON
TREBACZ, JESSICA SWARNER, and GREGORY
SHULMAN**, individually and on behalf of all
others similarly situated,

Plaintiffs,

v.

FACEBOOK, INC.,

Defendant.

Case No. 18CIV05135

~~PROPOSED~~ ORDER REGARDING
**BELAIRE NOTICE TO PROPOSED
SETTLEMENT CLASS MEMBERS**

Assigned for All Purposes to
Hon. V. Raymond Swope, Dept. 23

Trial Date: None Set
Complaint Filed: September 21, 2018

1 For good cause shown, the Court hereby ORDERS the following:

2 1. The *Belaire* Notice attached as Exhibit 1 is hereby approved for dissemination to
3 Settlement Class members.¹

4 2. The Court appoints Epiq Class Action & Claims Solutions, Inc., as Settlement
5 Administrator.

6 3. Within fifteen (15) days after entry of the Preliminary Approval Order, a complete list of
7 all Settlement Class members and their available contact information, including (to the extent
8 available) each Settlement Class member's full name, email address, last known mailing address, and
9 dates of employment with Facebook's Vendor(s) as Content Moderators for Facebook shall be sent to
10 the Settlement Administrator.

11 4. On or before September 9, 2020, the Settlement Administrator shall send the *Belaire*
12 Notice to Settlement Class members by email or, if no email address is available, their last known U.S.
13 Mail address. The costs of providing *Belaire* Notice shall be paid out of the Settlement Fund.

14 5. The Settlement Administrator shall collect objections and report to Plaintiffs' counsel
15 and Defense counsel on the number of objections received.

16 6. Objections may be made by electronic mail or United States mail.

17 7. For a disclosure objection to be valid, the Settlement Class member must either (a) email
18 their name to info@contentmoderatorsettlement.com on or before October 9, 2020 and state that they
19 object to the disclosure of their name and contact information or (b) complete and postmark the
20 enclosed disclosure objection form with their name, signature, and date by the same deadline.

21 If the Settlement Class member's intent is ambiguous in the objection, the Settlement
22 Administrator shall provide a copy of the disclosure objection to the Parties' counsel, who shall meet
23 and confer to resolve the ambiguity.

24 8. The Settlement Administrator shall prepare a report under oath of its process for
25 distributing the *Belaire* Notice and collecting the disclosure objections.

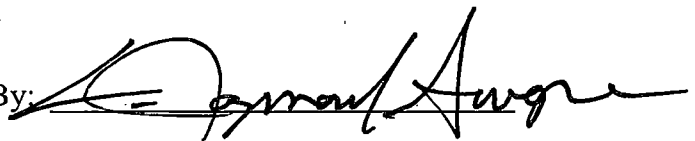
26 9. Within ten (10) business days after the deadline for Settlement Class members to object
27

28 ¹ All capitalized terms herein have the meaning given to them in the parties' Settlement Agreement
and Release filed May 8, 2020.

1 to the disclosure of their contact information, for those Settlement Class members who did not submit
2 valid objections, the Settlement Administrator shall designate as Confidential and provide such
3 Settlement Class members' contact information to Plaintiffs' counsel and Defense Counsel, subject to
4 the Stipulation and Protective Order Regarding Confidential Information (Mar. 5, 2019).
5
6
7

8 IT IS SO ORDERED.

9
10 Dated: AUG 25 2020

By: 

HON. V. RAYMOND SWOPE
JUDGE OF THE SUPERIOR COURT

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

EXHIBIT 1

1 **TO ALL PERSONS WHO CURRENTLY PERFORM OR HAVE PERFORMED SINCE**
2 **SEPTEMBER 15, 2015 CONTENT MODERATION SERVICES FOR FACEBOOK, INC. IN**
3 **CALIFORNIA, ARIZONA, TEXAS, OR FLORIDA AS AN EMPLOYEE OR**
4 **SUBCONTRACTOR OF ONE OF FACEBOOK'S VENDORS**

5 **THIS NOTICE RELATES TO YOUR PRIVACY RIGHTS**

6 There is a Proposed Settlement in a class action lawsuit filed in the Superior Court of California,
7 San Mateo County (Case No. 18CIV05135) by Selena Scola, Erin Elder, Gabriel Ramos, April
8 Hutchins, Konica Ritchie, Allison Trebacz, Jessica Swarner, and Gregory Shulman (collectively,
9 "Plaintiffs"), former employees of companies that contracted with Facebook, Inc. ("Facebook") to
10 review Facebook's content. The Proposed Settlement affects a "Class," or group, of people that includes
11 you.

12 **You are receiving this Notice because you are a member of the Settlement Class. This is not a**
13 **lawsuit against you, and you are not being sued.** This notice is approved by the Court and is designed to
14 give you an opportunity to object to the disclosure of your name, address, telephone number, and email
15 address, and date(s) of employment to attorneys for the Plaintiffs and Defendant.

16 Plaintiffs filed the lawsuit to obtain damages and declaratory and equitable relief to protect the
17 interests of themselves and all Content Moderators who reviewed content for Facebook through a third-
18 party contractor.

19 Plaintiffs allege that Facebook failed to provide a safe workplace for Content Moderators employed
20 through third-party vendors of Facebook, in violation of California law. Plaintiffs allege that this failure
21 contributed to Content Moderators suffering from psychological trauma, including but not limited to
22 Post-Traumatic Stress Disorder (PTSD). Defendant Facebook denies all these allegations in their
23 entirety and maintains that it has complied with all applicable laws. The Parties agreed to the Proposed
24 Settlement to provide relief to the class and to avoid further expense associated with this litigation.

25 In connection with the Settlement, a Settlement Administrator will be provided with the names,
26 email addresses, last known addresses, and date(s) of employment of all members of the Settlement
27 Class, including you.

28 The Parties' attorneys have agreed to use this information only for purposes of this lawsuit and have
29 agreed not to disclose this information to anyone else.

30 **This notice is being sent to you so that you can decide whether to have your contact**
31 **information provided to the Parties' attorneys. Your decision will NOT affect your rights under**
32 **the Settlement, including your rights to any relief the Settlement may provide.**

33 OPTION ONE: If you want your name, email address, mailing address, and date(s) of employment
34 to be disclosed to the Parties' attorneys, you do not need to do anything.

35 OPTION TWO: If you do **not** want your name, email address, mailing address, and date(s) of
36 employment to be disclosed to the Parties' attorneys, you must email to
37 info@contentmoderatorsettlement.com or sign the enclosed pre-paid and self-addressed postcard and
38 return it to the Settlement Administrator at the address on the postcard.

39 If you do not reply by email to info@contentmoderatorsettlement.com **by October 9, 2020** or sign
40 and return the enclosed postcard postmarked **by October 9, 2020**, your name, email address, mailing
41 address, and date(s) of employment will be provided to the Parties' attorneys.

42 **You will not be rewarded or penalized in any way by Facebook or Facebook's Vendors based**
43 **on your decision to allow or not allow your contact information to be given to Plaintiffs'**
44 **attorneys.**

1 This notice is not a communication from the Court and is not an expression of any opinion by the
2 Court as to the merits of the claims or defenses by either side in this lawsuit. Please do not contact the
3 Court or the clerk of the Court.

4 ***
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

1 OBJECTION TO DISCLOSURE OF PRIVATE CONTACT INFORMATION

2 I DO NOT wish to disclose my personal contact information, including my name, email address,
3 mailing address, and date(s) of employment, to the Parties' attorneys in this case.

4 Dated: _____

_____ Print Name

6 _____
7 Signature

8 FOR THIS CARD TO BE EFFECTIVE, you must complete and mail it no later than October 9,
9 2020. If you do not return this card by October 9, 2020, and you do not by October 9, 2020 send an
10 email to info@contentmoderatorsettlement.com with your name and a statement that you object to the
11 disclosure of your name and contact information, then your name, address, telephone number(s), and
12 email address(es) will be disclosed to the Parties' attorneys to be used in connection with the Parties'
13 Proposed Settlement.

14 **If you do NOT object to the disclosure of your contact information, do not complete this form**
15 **and do not send an email to info@contentmoderatorsettlement.com.**

16 _____

17
18
19
20
21
22
23
24
25
26
27
28