

Facebook Sponsored Stories – Frequently Asked Questions

1. How do I participate in the Settlement?

If you are a class member (defined below) you do not need to do anything at this time. You are automatically included as a class member, unless you opted out of this class action by May 8, 2020.

If settlement is approved by the Court on or after the March 13, 2024 hearing, further notice will be issued setting out the procedure and manner for class members to submit their claims for a share of the settlement funds.

If you did not receive an emailed notice of this class action from MNP Ltd., please provide your email contact information to facebooksettlement@mnp.ca for inclusion on their list. Please reference “Class Member List” in the subject line.

2. Do I have to pay anything to participate in the Settlement?

No. Class members will not incur any expenses in connection with this class action. If approved by the Court, class counsel’s fees and disbursements will be deducted from the total settlement before settlement distribution occurs.

3. Will I receive compensation from the Settlement and how much?

If the Court approves the proposed settlement, you will qualify for a share of the settlement funds if you are a class member and if you submit a claim pursuant to a claims process to be approved by the Court at or after the hearing scheduled for March 13, 2024.

The settlement funds are to be shared amongst all eligible class members that make claims pursuant to a process to be determined by the Court at or after March 13, 2024. Each eligible claimant will be entitled to receive up to \$200. However, the exact amount each claimant will receive will depend on the number of claims made and approved pursuant to the claims administration process to be determined and approved by the Court.

4. What is this lawsuit about?

The plaintiff has alleged that the defendant, Facebook, Inc. used class members’ names and portraits in Sponsored Stories advertisements without their consent, in violation of the *Privacy Acts* of British Columbia, Saskatchewan, Manitoba, and Newfoundland and Labrador. The plaintiff sought to recover damages for class members for Facebook’s alleged breach of the *Privacy Acts*.

A settlement has been reached. The settlement is a compromise of disputed claims and is not an admission of liability by the defendant. The proposed settlement is subject to Court approval.

5. What are the terms of the Settlement?

The proposed settlement provides that Meta Platforms, Inc. (formerly Facebook) will pay the all-inclusive sum of **\$51,000,000 (fifty-one million dollars)** in exchange for a full and final release by the class members of all claims in issue in the class action against Facebook. On January 9, 2024, the Court approved the form and manner of notice of settlement. The full Court approved Notice can be found here: www.mnp.ca/facebooksettlement

6. Who is in the class and affected by the Settlement?

Class members consist of all resident natural persons of British Columbia, Saskatchewan, Manitoba, and Newfoundland and Labrador, who were members of Facebook and residents of these provinces at any time from January 1, 2011 to May 30, 2014 and:

- a) who at any time during this period were registered with Facebook using their real name, or had a profile picture that included an identifiable self-image, or both; and
- b) whose real name, identifiable portrait, or both were used by Facebook in a Sponsored Story.

The Court appointed the plaintiff, Ms. Deborah Douez, as representative plaintiff on behalf of the class. Class counsel are Branch MacMaster LLP and Michael Sobkin Law Corporation.

7. What were Sponsored Stories?

Sponsored Stories were a form of Facebook advertising that associated an advertiser's name or identifiable mark with a Facebook user who had performed certain social actions in connection with the advertiser, such as clicking a "Like" button concerning the advertiser's product or service. The Sponsored Story advertisement was only shown to the user's Facebook friends.

8. How do I know if my name or portrait were used in a Sponsored Story?

It is not possible to determine if and when each individual Facebook user was featured in a Sponsored Story.

However, we estimate that many Facebook users from British Columbia, Saskatchewan, Manitoba, and Newfoundland and Labrador, were featured in at least one Sponsored Story between January 1, 2011 to May 30, 2014. Therefore, and for the purposes of this proposed settlement, it is presumed that any person who was a resident of one of the above four provinces, and who was a Facebook user and used their real name, or had a profile picture that included an identifiable self-image, will be entitled to share in the settlement funds.

9. When will the Settlement be approved?

A further hearing will be held before the Court at **10:00 a.m.** on **March 13, 2024**, to seek settlement approval, approval of class counsel's fees, an honourarium for the representative plaintiff, and a process to determine class members' claims for a share of the settlement funds. The hearing will take place at 800 Smithe Street, Vancouver, B.C., before the Honourable Madam Justice Iyer. If approved, the settlement will bind all class members who did not opt out of the lawsuit by May 8, 2020.

All class members have a right to object to this settlement, the plan for distribution of settlement funds, Class counsel's fees, and the honorarium to the representative plaintiff, by delivering the following [Objection Form](#). The Objection Form must be delivered by email to class counsel at sponsoredstories@branmac.com. All objections must be received by class counsel on or before **March 11, 2024, 5PM Pacific Time**.

Class members may also attend the settlement approval hearing.

The full settlement terms and court documents are available at the following link: www.mnp.ca/facebooksettlement

10. How many eligible Class members are there?

Class counsel estimates that approximately 4.3 million people may qualify as class members.

11. What are the fee arrangements?

Class counsel will seek approval of a fee of 33 $\frac{1}{3}$ % of the settlement amount, plus disbursements and applicable taxes, in accordance with the contingency fee agreement between counsel and the representative plaintiff. Class counsel will also seek payment of up to \$10,000.00 as an honorarium for representative plaintiff Ms. Douez, to be paid from class counsel's fees.

Class counsel's fees, disbursements and any payment to the representative plaintiff are subject to Court approval at the March 13, 2024 hearing.

12. I Had Multiple Facebook Accounts- Can I Make A Separate Claim For Each Account?

No, you may submit only one claim. The class is comprised of natural persons, thereby excluding business accounts. More importantly, the award is not tied to appearances in particular Sponsored Stories. As those records no longer exist it would be impossible to determine which account and which online action was the source for the incorporation of a class member's name and/or profile picture in a particular Sponsored Story.

13. Do The Claims Survive Class Member's Death?

No, pursuant to the applicable privacy statutes, claims under these Acts are extinguished upon death of the claimant. Accordingly, family members and estates of a deceased Class member are not entitled to recover a share of the award on their behalf.

14. Who can I contact if I have more questions?

For more information about this class action and the proposed settlement, please contact class counsel via email at: sponsoredstories@branmac.com

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