

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

DATE 09/22/11 HONORABLE DEBRE K WEINTRAUB HONORABLE #4 A RODRIGUEZ/C.A	JUDGE JUDGE PRO TEM Deputy Sheriff	DEPT. 47 R. CASTLE DEPUTY CLERK ELECTRONIC RECORDING MONITOR S. PRICE, CSR #11954 Reporter
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8 30 am	BC444482 DAVID A COHEN ET AL VS FACEBOOK INC (NON-COMPLEX 09-07-10) 170 6 KENDIG/PLFF R/T BC454799 (3/15/11)	Plaintiff Counsel Defendant Counsel	ANTHONY STUART [X] JOHN C. TORJESEN [X] GARY T STEVENS, JR [X] COOLEY LLP BY: MATTHEW D BROWN [X]
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NATURE OF PROCEEDINGS:

HEARING OF DEFENDANT FACEBOOK, INC , ON DEMURRER TO COMPLAINT

Matters are called for hearing.

The Court issues its oral tentative as fully reflected in the notes of the official court reporter this date, incorporated herein by reference.

The Court, having read and considered all papers filed and heard argument, rules as follows

Defendant Facebook, Inc.'s demurrer to the first, second and third causes of action are SUSTAINED with leave to amend. Plaintiffs' claims based on state law for Facebook's alleged failure to obtain the parental consent of users aged 13 to 17 to the commercial use of their name and likeness is preempted by the Children's Online Privacy Protection Act (15 U S.C 6501, et seq; Children's Online Privacy Protection Rule (16 CFR Part 312)

Plaintiff is given 20 days leave to amend

The Court's ruling is more fully reflected in the notes of the official court reporter this date, incorporated herein by reference

Defendant to give notice.

MINUTES ENTERED 09/22/11 COUNTY CLERK
