

# Daily Journal

## VERDICTS AND SETTLEMENTS

### Constitutional Law

California Invasion of Privacy Act

## Brett Heeger v. Facebook Inc.

Published: Feb. 12, 2021 | Result Date: Jan. 25, 2021 |

Case number: 3:18-cv-06399-JD  
Bench Decision – **Dismissal**

Judge

[James Donato](#)

Court

USDC Northern District of California

Attorneys

Plaintiff

[Sabita J. Soneji](#)

(Tycko & Zavareei LLP)

[Katherine M. Aizpuru](#)

(Tycko & Zavareei LLP)

[Norman E. Siegel](#)

(Stueve, Siegel & Hanson LLP)

[Barrett J. Vahle](#)

(Stueve, Siegel & Hanson LLP)

Defendant

**Andrew C. Rubenstein**

(Munger, Tolles & Olson LLP)

**Rosemarie T. Ring**

(Munger, Tolles & Olson LLP)

**Laura D. Smolowe**

(Munger, Tolles & Olson LLP)

Facts

Brett Heeger has a profile on Facebook, Inc.'s platform. Heeger later sued Facebook in a putative class action lawsuit concerning settings related to user location information.

Contentions

**PLAINTIFFS' CONTENTIONS:** Plaintiffs contended that defendant continued to track, log, and store user location information, regardless of users' choices as expressed through the settings they selected. Ultimately, plaintiffs contended that Facebook misled users and engaged in this deceptive practices by collecting and storing private location data against users' expressed choice.

**DEFENDANT'S CONTENTIONS:** Defendant denied the contentions. Defendant contended that plaintiffs failed to state a claim and failed to plead facts to establish Article III standing, including because the information that was allegedly collected was limited to IP addresses, which are not private and do not implicate privacy concerns. Therefore, defendant argued that the complaint should be dismissed with prejudice in its entirety.

Result

The court dismissed the complaint and entered judgment in favor of Facebook.

#136595

**For reprint rights or to order a copy of your photo:**

Email [jeremy@reprintpros.com](mailto:jeremy@reprintpros.com) for prices.

Direct dial: 949-702-5390



**ADR**  
SERVICES, INC.

INTRODUCING ADR SERVICES, INC.  
ONLINE CASE MANAGEMENT SYS

SIGN UP

© 2021 DAILY JOURNAL CORPORATION. ALL RIGHTS RESERVED.  
FEEDBACK ADVERTISE WITH US PRINTING SERVICES PRIVACY  
USER AGREEMENT SEC ABOUT SUBMIT