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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

RICHARD KADREY, *et al.*,

Individual and Representative Plaintiffs,

v.

META PLATFORMS, INC., a Delaware corporation

Defendant.

Case No. 3:23-cv-03417-VC

STIPULATION AND [PROPOSED] ORDER REGARDING TORRENTED FILES AND TREATMENT OF DIRECTORY LISTINGS

Hon. Vince Chhabria

Pursuant to N.D. Cal. Civil Local Rule 7-12, Plaintiffs Richard Kadrey, Sarah Silverman, Christopher Golden, Jacqueline Woodson, Andrew Sean Greer, Rachel Louise Snyder, David Henry Hwang, Ta-Nehisi Coates, Laura Lippman, Matthew Klam, Junot Díaz, Lysa Terkeurst and Christopher Farnsworth, Eleven Eleven O' Clock Corporation, BCP Literary, Inc., and Daring Greatly Corporation (collectively, the "Plaintiffs"), and Defendant Meta Platforms, Inc. ("Meta") (together, the "Parties"), by and through their respective counsel, do hereby stipulate to the following:

WHEREAS, the Parties seek to streamline the production of documents and data in this matter;

WHEREAS, Meta obtained torrented documents and data vis-à-vis Online Repositories and other users of Online Repositories, including Library Genesis and Anna's Archive; and

WHEREAS, such data comprises numerous individual files;

IT IS HEREBY STIPULATED AND REQUESTED, by and through Plaintiffs and Defendant, that the Parties agree that Meta may produce Directory Listings in lieu of the Underlying Files pursuant to the following terms:

1. **Definitions.** For purposes of this Stipulation:

   (a) **"Directory Listing"** means a structured list or index of files that includes metadata detailing a file name, file path, file size (in bytes), and file creation and/or modification time, and Directory Listings were produced by Meta at Meta_Kadrey_00237288, Meta_Kadrey_00237289, Meta_Kadrey_00237290, Meta_Kadrey_00238360, Meta_Kadrey_00238482, Meta_Kadrey_00238483, Meta_Kadrey_00243793, Meta_Kadrey_00237772-00237779.

   (b) **"Underlying File"** means the actual underlying digital content of a file included in a Directory Listing (i.e., an underlying Work).

   (c) **"Online Repository"** means a website that provides or facilitates access to digital copies of written works ("Works"). Examples include Library Genesis and Anna's Archive.

2. **Treatment of Directory Listings as Complete Production.** The production of a Directory Listing shall be treated as a full and complete production of the Underlying Files encompassed within that Directory Listing, and pursuant to the following additional terms:

(a) The Directory Listings produced in this matter are accurate and authentic copies of records produced by Meta during the course of discovery in this action, are non-hearsay, and shall be admissible into evidence in this action without the need for authentication by a witness. Nothing in this stipulation shall preclude any party from raising any other objection to the admissibility of the Directory Listings that may be available under the Federal Rules of Evidence, including but not limited to objections based on relevance or any other applicable evidentiary or legal ground.

(b) Each Directory Listing entry contains information corresponding to the Online Repository from which the Underlying File was acquired, including file path and file name information that uniquely identifies the Online Repository metadata corresponding to the Underlying File. For example, the Directory Listing entry "data/annas_archive/libgen/scitech/2763000/02c9e1826b4ad14e0616cdd736dd5c4d" (appearing in Meta_Kadrey_00238483) includes the file path "data/annas_archive/libgen/scitech/2763000/" and the file name "02c9e1826b4ad14e0616cdd736dd5c4d." This information indicates the content of the Underlying File and its corresponding Online Repository (e.g., an entry containing the file path "libgen/scitech" maps to Library Genesis Nonfiction and the file name or hash uniquely identifies the underlying Work through the corresponding Online Repository metadata, such as author and title);

(c) For each Directory Listing entry associated with an Online Repository, the entry's Directory Listing contents (e.g., file name) corresponds to a particular Work from an Online Repository;

(d) The Underlying File for each Directory Listing entry is a full and complete copy of the corresponding Work. Meta may rely upon Directory Listings to establish that it has fully responded to Plaintiffs' discovery requests concerning the contents of the datasets at issue, and Plaintiffs may rely on the Directory Listings and the corresponding Online Repository

metadata to establish that each Underlying File is a full and complete copy of a Work identified by the corresponding Online Repository metadata.

(e) Neither Party shall contend that Directory Listings are incomplete or deficient solely because the Underlying Files have not been produced;

(f) The Directory Listings shall constitute evidence of the content Meta torrented from Online Repositories.

(g) This Stipulation applies only to the Works of the named Plaintiffs at issue in the present action, and not to the Works of any other plaintiff or party (including any member of any proposed class).

3. Certification of Accuracy.

(a) Meta certifies that the Directory Listings produced under this Stipulation are accurate and complete to the best of Meta's knowledge, information, and belief after reasonable inquiry.

(b) If Meta discovers material inaccuracies or omissions in any Directory Listing, Meta shall promptly supplement its production and notify Plaintiffs' counsel. If Plaintiffs discover material inaccuracies or omissions in any Directory Listing, they shall promptly notify Meta and Meta shall attempt to supplement its production accordingly.

(c) This Stipulation is without prejudice to Plaintiffs' ability to request inspection of Underlying Files and to request that specific files be produced upon a showing of good cause. Meta will evaluate such requests on a case-by-case basis. Any unresolved disputes over the production of specific files may be raised with the Court.

Dated: September 11, 2026

By: /s/ Mark Weinstein

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Respectfully submitted,

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Counsel for Individual and Representative Plaintiffs and the Proposed Class

ECF ATTESTATION

Pursuant to Local Rule 5-1(i)(3), I hereby attest that counsel for Plaintiffs concurs in the filing of this document.

/s/ *Mark Weinstein*

PROPOSED ORDER

Pursuant to the stipulation of the Parties, the Court grants the Parties' request regarding the treatment of Directory Listings.

IT IS SO ORDERED.

DATED: _____

_____
HON. VINCE CHHABRIA
United States District Judge