

BOIES SCHILLER FLEXNER LLP

David Boies (*pro hac vice*)

333 Main Street

Armonk, NY 10504

(914) 749-8200

dboies@bsfllp.com

Maxwell V. Pritt (SBN 253155)

Joshua M. Stein (SBN 298856)

Margaux Poueymirou (SBN 356000)

44 Montgomery Street, 41st Floor

San Francisco, CA 94104

(415) 293-6800

mpritt@bsfllp.com

jstein@bsfllp.com

Jesse Panuccio (*pro hac vice*)

1401 New York Ave, NW

Washington, DC 20005

(202) 237-2727

jpanuccio@bsfllp.com

David L. Simons (*pro hac vice*)

55 Hudson Yards, 20th Floor

New York, NY 10001

(914) 749-8200

dsimons@bsfllp.com

Counsel for Plaintiffs

[Additional Counsel Listed on Signature Page]

**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:

- 1 (a) The Directory Listings produced in this matter are accurate and authentic copies of records
2 produced by Meta during the course of discovery in this action, are non-hearsay, and shall
3 be admissible into evidence in this action without the need for authentication by a witness.
4 Nothing in this stipulation shall preclude any party from raising any other objection to the
5 admissibility of the Directory Listings that may be available under the Federal Rules of
6 Evidence, including but not limited to objections based on relevance or any other applicable
7 evidentiary or legal ground.
- 8 (b) Each Directory Listing entry contains information corresponding to the Online Repository
9 from which the Underlying File was acquired, including file path and file name information
10 that uniquely identifies the Online Repository metadata corresponding to the Underlying
11 File. For example, the Directory Listing entry
12 “data/annas_archive/libgen/scitech/2763000/02c9e1826b4ad14e0616cdd736dd5c4d”
13 (appearing in Meta_Kadrey_00238483) includes the file path
14 “data/annas_archive/libgen/scitech/2763000/” and the file name
15 “02c9e1826b4ad14e0616cdd736dd5c4d.” This information indicates the content of the
16 Underlying File and its corresponding Online Repository (e.g., an entry containing the file
17 path “libgen/scitech” maps to Library Genesis Nonfiction and the file name or hash uniquely
18 identifies the underlying Work through the corresponding Online Repository metadata, such
19 as author and title);
- 20 (c) For each Directory Listing entry associated with an Online Repository, the entry’s Directory
21 Listing contents (e.g., file name) corresponds to a particular Work from an Online
22 Repository;
- 23 (d) The Underlying File for each Directory Listing entry is a full and complete copy of the
24 corresponding Work. Meta may rely upon Directory Listings to establish that it has fully
25 responded to Plaintiffs’ discovery requests concerning the contents of the datasets at issue,
26 and Plaintiffs may rely on the Directory Listings and the corresponding Online Repository
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1 metadata to establish that each Underlying File is a full and complete copy of a Work
2 identified by the corresponding Online Repository metadata.

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

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

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

10 **3. Certification of Accuracy.**

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

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

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

Dated: September 11, 2026

Respectfully submitted,

By: /s/ Mark Weinstein

By: /s/ Margaux Poueymirou

DUNN ISAACSON RHEE LLP
KAREN L. DUNN (*pro hac vice*)
(kdunn@dirllp.com)
KYLE N. SMITH (*pro hac vice*)
(ksmith@dirllp.com)
401 9th Street, NW
Washington, DC 20004
Telephone: (202) 240-2900

BOIES SCHILLER FLEXNER LLP
David Boies (*pro hac vice*)
333 Main Street
Armonk, NY 10504
(914) 749-8200
dboies@bsfllp.com

COOLEY LLP
BOBBY GHAJAR (198719)
(bghajar@cooley.com)
1333 2nd Street, Suite 400
Santa Monica, CA 90401
Telephone: (310) 883-6400

Maxwell V. Pritt (SBN 253155)
Joshua M. Stein (SBN 298856)
Margaux Poueymirou (SBN 356000)
44 Montgomery Street, 41st Floor
San Francisco, CA 94104
(415) 293-6800
mpritt@bsfllp.com
jstein@bsfllp.com
mpoueymirou@bsfllp.com

COOLEY LLP
MARK WEINSTEIN (193043)
(mweinstein@cooley.com)
KATHLEEN HARTNETT (314267)
(khartnett@cooley.com)
JUDD LAUTER (290945)
(jlauter@cooley.com)
ELIZABETH L. STAMESHKIN (260865)
(lstameshkin@cooley.com)
3175 Hanover Street
Palo Alto, CA 94304
Telephone: (650) 843-5000

Jesse Panuccio (*pro hac vice*)
1401 New York Ave, NW
Washington, DC 20005
(202) 237-2727
jpanuccio@bsfllp.com

David L. Simons (*pro hac vice*)
55 Hudson Yards, 20th Floor
New York, NY 10001
(914) 749-8200
dsimons@bsfllp.com

COOLEY LLP
PHILLIP MORTON (*pro hac vice*)
(pmorton@cooley.com)
1299 Pennsylvania Avenue, NW, Suite 700
Washington, DC 20004-2400
Telephone: (202) 842-7800

*Counsel for Individual and Representative
Plaintiffs and the Proposed Class*

CLEARY GOTTlieb STEEN &
HAMILTON LLP
ANGELA L. DUNNING (212047)
(adunning@cgsh.com)
1841 Page Mill Road, Suite 250
Palo Alto, Ca 94304
Telephone: (650) 815-4131

*Counsel For Defendant
META PLATFORMS, INC.*

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: September 14, 2026



HON. VINCE CHHABRIA
United States District Judge