

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA

In re Meta Pixel Healthcare Litigation

Meta Pixel Healthcare Litigation · No. 22-cv-03580-WHO (VKD) · Decided April 24, 2025

SUMMARY

The United States District Court for the Northern District of California resolves a discovery dispute concerning Meta’s Request for Production 74 in the Meta Pixel Healthcare Litigation. The court orders plaintiffs to produce documents sufficient to show third-party cookies on relevant devices and browsers capable of collecting or sharing health information, subject to specified criteria, deadlines, and privacy protections.

CASE DETAILS

COURT	United States District Court for the Northern District of California
WRITING FOR THE COURT	Virginia K. DeMarchi
JURISDICTION	United States District Court for the Northern District of California
DECIDED	April 24, 2025
DOCKET	22-cv-03580-WHO (VKD)
DISPOSITION	other
PROCEDURAL POSTURE	The court resolved a discovery dispute concerning Meta's Request for Production of Documents No. 74, which sought documents showing cookies on plaintiffs' devices and browsers.
STANDARD OF REVIEW	Discovery relevance and scope; the order does not identify a separate deferential standard of review.
PRECEDENTIAL VALUE	Unknown; interlocutory discovery order

TOPICS

- discovery dispute
- medical records privacy
- health law
- commercial litigation
- civil procedure

PRACTICE AREAS

- civil procedure
- health law
- commercial litigation
- discovery

QUESTIONS PRESENTED

1. Whether documents showing third-party cookies on plaintiffs' relevant devices and browsers are relevant to plaintiffs' claims, Meta's defenses, and anticipated class-certification arguments.
2. Whether Meta's request was overbroad because it sought information about all cookies, including cookies incapable of collecting or sharing health information.
3. What limitations and procedures should govern the production to address burden and plaintiffs' privacy interests.

HOLDINGS

1. Documents sufficient to show third-party cookies on plaintiffs' relevant devices and browsers that were capable of collecting or sharing health information are relevant discovery because they bear on plaintiffs' claims, Meta's defenses, and anticipated opposition to class certification.
2. The request was overbroad to the extent it encompassed all cookies regardless of whether they were capable of collecting or sharing plaintiffs' health information.
3. Plaintiffs must produce documents sufficient to show the relevant third-party cookies, but they need not undertake a burdensome analysis of all cookies if they use objective criteria identified by Meta; alternatively, plaintiffs must produce the entire list of third-party cookies on the relevant devices and browsers.

KEY QUOTATIONS

“To the extent Meta seeks documents showing all third-party cookies on plaintiffs’ devices and/or browsers that collected or shared health information—i.e. the same kind of data at issue in this case—such discovery is clearly relevant to plaintiffs’ claims and Meta’s defenses.” (at 2)

“In response to RFP 74, plaintiffs must produce documents sufficient to show all third-party cookies on plaintiffs’ relevant devices and/or browsers capable of collecting or sharing health information.” (at 3)

FACTUAL BACKGROUND

Plaintiffs allege that Meta's Pixel collected their and putative class members' health information from healthcare-provider websites and patient portals and used that information for targeted advertising, causing harm. Meta sought documents showing cookies on plaintiffs' relevant devices and browsers to investigate whether third-party cookies other than Meta's also collected or shared health information, whether Meta was solely responsible for the alleged harm, and issues relevant to class certification. Plaintiffs objected that the request was overbroad, implicated privacy concerns, and was sought too late.

PROCEDURAL HISTORY

Plaintiffs objected to Meta's request for documents showing all cookies on devices and browsers used to access healthcare-provider websites and patient portals. Meta moved for court intervention after the parties failed to resolve the dispute. The court resolved the matter without oral argument and ordered a narrowed production subject to objective criteria and privacy protections.

DISPOSITION

other

CASES CITED

- Zivkovic v. S. California Edison Co., 302 F.3d 1080, 1088 (9th Cir. 2002)

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