

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA

Andrew Forrest v. Meta Platforms, Inc.

Forrest v. Meta · No. 22-cv-03699-PCP (VKD) · Decided December 5, 2025

SUMMARY

The United States District Court for the Northern District of California resolves a discovery dispute concerning Andrew Forrest’s request to serve 77 requests for admission on Meta Platforms, Inc. after the deadline for first-phase fact discovery. The court finds that Forrest did not establish good cause or diligence for most of the requests, but permits requests for admission 6 through 17 because they concerned data sources disclosed shortly before the discovery deadline. The permitted requests are deemed served as of December 5, 2025, and Meta must respond under Federal Rule of Civil Procedure 36.

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	December 5, 2025
DOCKET	22-cv-03699-PCP (VKD)
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff sought leave to serve 77 requests for admission after the deadline for completing first-phase fact discovery.
STANDARD OF REVIEW	Whether good cause exists to modify a discovery deadline, principally assessed by examining the requesting party's diligence.
PRECEDENTIAL VALUE	Unknown; discovery order from a federal district court.
PARTIES	Andrew Forrest v. Meta Platforms, Inc.

TOPICS

- discovery dispute
- civil procedure
- commercial litigation

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether plaintiff established good cause and diligence sufficient to modify the discovery deadline and serve requests for admission after the close of first-phase discovery.
2. Whether requests for admission concerning recently produced and explained data sources should be permitted despite the discovery deadline.

HOLDINGS

1. Plaintiff failed to establish good cause because most of the requests did not depend on information disclosed near the discovery deadline and plaintiff did not explain why they could not have been served earlier.
2. The court permitted plaintiff to obtain responses to requests for admission 6 through 17 because those requests concerned specific data sources that Meta produced and explained only a few weeks before the discovery deadline.

KEY QUOTATIONS

“But “helpfulness” does not satisfy the good cause standard which requires Dr. Forrest to show that he was diligent in seeking these admissions before the scheduling deadline.” (at 2)

“As nothing prevented Dr. Forrest from timely serving most of the 77 RFAs, he has not established diligence.” (at 2)

“Accordingly, the Court will permit Dr. Forrest to obtain Meta’s responses to RFAs 6-17.” (at 3)

FACTUAL BACKGROUND

The court had limited discovery to a first phase concerning facts relevant to Meta's section 230 immunity defense, including the tools and processes applied to allegedly fraudulent advertisements. That discovery closed on October 29, 2025, except for specified supplemental investigation and production. Plaintiff sought to serve 77 requests for admission concerning Meta's ad tools, preservation failures, discovery misconduct, and previously produced data and documents. Some requests concerned data sources Meta had produced and explained only a few weeks before the deadline, while most concerned information available earlier.

PROCEDURAL HISTORY

The action was pending in the Northern District of California with discovery limited to facts concerning Meta's section 230 immunity defense. First-phase discovery closed on October 29, 2025, subject to limited completion of investigation and production relating to specified prior discovery orders. Plaintiff then asked the magistrate judge to permit service of 77 belated requests for admission; the court denied the request as to most requests but allowed requests 6 through 17.

DISPOSITION

other

CASES CITED

- Ctr. for Auto Safety v. Chrysler Group, LLC, 809 F.3d 1092, 1098-99 (9th Cir.), cert. denied sub nom FCA U.S. LLC v. Ctr. for Auto Safety, 580 U.S. 815 (2016)
- Kamakana v. City & Cnty. of Honolulu, 447 F.3d 1172, 1179-80 (9th Cir. 2006)
- Johnson v. Mammoth Recreations, Inc., 975 F.2d 604, 609-10 (9th Cir.)
- Lawson v. BMW of N. Am. LLC, No. 21-cv-02063-BLF, 2023 WL 6165697, at *2 (N.D. Cal. Sept. 20, 2023)

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