

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA

E. H., et al. v. Meta Platforms, Inc.

Case No. 23-cv-04784-WHO (VKD) · No. 23-cv-04784-WHO (VKD) · Decided December 23, 2025

SUMMARY

The United States District Court for the Northern District of California resolves portions of a discovery dispute in E. H. et al. v. Meta Platforms, Inc. The court orders Meta to search for and produce certain notices, investigate whether documents specific to non-users were excluded from an earlier production, and identify Bates numbers for lineage-mapping results, while denying or limiting several other requests. The dispute concerning additional custodians remains unresolved and may be presented in a further joint discovery letter.

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 23, 2025
DOCKET	23-cv-04784-WHO (VKD)
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiffs and defendant submitted a joint discovery dispute letter concerning supplemental document discovery and the scope of Meta's custodian searches. The magistrate judge resolved the document-request disputes in part and deferred the custodian dispute pending further party discussions.
STANDARD OF REVIEW	The Court applied the good-cause standard for targeted supplemental discovery and evaluated whether the requested discovery was relevant, targeted, necessary, and proportional to the needs of the case.
PRECEDENTIAL VALUE	unpublished, nonprecedential district-court discovery order
PARTIES	E. H., et al. v. Meta Platforms, Inc.

TOPICS

- discovery dispute
- civil procedure
- hipaa
- medical records privacy
- commercial litigation

PRACTICE AREAS

civil procedure

discovery

health law

commercial litigation

QUESTIONS PRESENTED

1. Whether plaintiffs established good cause for additional targeted discovery concerning the disputed requests for production.
2. Whether Meta must search its existing Healthcare-case collection for notices sent to 34 telehealth-only providers identified by plaintiffs.
3. Whether Meta must conduct additional searches for non-public communications with non-users or internal communications concerning what non-users understood about Meta's data collection.
4. Whether the parties' agreement to identify Bates numbers, investigate possible exclusion of non-user documents, or confer concerning specific custodial sources adequately resolved or narrowed certain requests.
5. Whether the dispute concerning the proposed 57 custodians was ready for decision.

HOLDINGS

1. Plaintiffs established sufficient grounds for targeted supplemental discovery concerning the 34 providers identified as telehealth-only. Meta must search its existing Healthcare-case document collection for those providers and produce any responsive notices.
2. Plaintiffs did not establish good cause for additional searches for communications to non-users or for internal communications specifically concerning Meta's beliefs about what non-users understood about Meta's information-collection practices.
3. The dispute concerning RFP 74 was resolved by Meta's agreement to identify the Bates numbers for the portion of the Healthcare production reflecting the results of the lineage mapping project.
4. Meta must investigate whether the Healthcare production excluded documents specific to non-users on relevance grounds, but plaintiffs did not establish good cause for additional searches for email and other communications concerning non-user data only.
5. Plaintiffs did not establish good cause for the requested discovery because RFP 85 was overbroad and not appropriately targeted or necessary.
6. Plaintiffs did not establish good cause for supplemental discovery under RFP 90 because the request was unreasonably broad and insufficiently targeted.
7. The requests were overbroad to the extent they sought all documents and communications concerning the dashboard, but potentially targeted discovery concerning the dashboard's value and the value of non-user data to the dashboard warranted further party discussions.
8. The dispute concerning whether Meta must search the records of 57 custodians was not ready for decision and required further proceedings.

KEY QUOTATIONS

“plaintiffs may then seek additional targeted discovery relevant to the non-Facebook user putative class upon a showing of good cause to Judge DeMarchi.” (at 2)

“Meta must search its existing document collection for the Healthcare case for the names of the 34 providers whom plaintiffs identify as “telehealth only” in Appendix A, and must produce any responsive notices located in that search.” (at 3)

“Plaintiffs have an obligation in the first instance to seek only “targeted discovery relevant to the non-Facebook user putative class.”” (at 7)

“The parties must confer, keeping in mind the presiding judge’s direction that plaintiffs’ supplemental discovery must be “targeted” and “relevant to the non-Facebook user putative class.”” (at 8-9)

FACTUAL BACKGROUND

Plaintiffs brought claims concerning Meta's collection and use of health information associated with non-Facebook users through the Pixel and sought supplemental discovery after reviewing production from related Healthcare litigation. They requested additional documents concerning notices to healthcare providers, communications with non-users, a lineage-mapping project, non-user data, Appendix A entities, advertising revenue, and Meta's Advertising Account Dashboard. Meta had already produced substantial discovery and agreed to provide or investigate some additional information, while objecting that other requests were overbroad, untargeted, unnecessary, or duplicative.

PROCEDURAL HISTORY

The presiding judge permitted plaintiffs to amend their complaint and directed that supplemental discovery be targeted and relevant to the non-Facebook-user putative class, with plaintiffs required to show good cause for additional discovery. After the parties completed discovery related to *In re Meta Pixel Healthcare Litigation*, plaintiffs sought additional production on several requests. The parties submitted a joint discovery letter, and the Court held a hearing on December 16, 2025. This order resolves the document-request disputes but leaves the custodian dispute for further proceedings.

DISPOSITION

other

REMAND INSTRUCTIONS

The parties must confer regarding unresolved discovery issues, particularly the custodian dispute, and may file a further joint discovery-dispute letter after completing those discussions. Any further letter should comply with Judge DeMarchi's Standing Order and should be filed no later than January 21, 2026, unless the parties stipulate to a later date. The parties must also comply with the specified directives concerning the 34-provider notice search, Bates-number identification, investigation of possible exclusion of non-user documents, and further discussions concerning specific custodial sources for RFPs 98-99.

CASES CITED

- Ctr. for Auto Safety v. Chrysler Group, LLC, 809 F.3d 1092, 1098-99 (9th Cir. 2016), cert. denied sub nom. FCA U.S. LLC v. Ctr. for Auto Safety, 580 U.S. 815 (2016)
- Kamakana v. City & County of Honolulu, 447 F.3d 1172, 1179-80 (9th Cir. 2006)

Retrieved from lawtools.ai · <https://lawtools.ai/cases/federal/united-states-district-court-for-the-northern-district-of-ca/2025/e-h-et-al-v-meta-platforms-inc-srthg8j4>