



SOCIAL MEDIA (/CATEGORY/SOCIAL-MEDIA) facebook (/tag/facebook/)

# Facebook legal notice could get you cash, so don't trash it



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Facebook recently sent a legal notice to users that may appear daunting at first glance, but before you relegate it to the trash bin you ought to take a look at it – it could mean cash in your pocket.

The notice is meant to notify some of its U.S. members that their names, profile pictures, photographs, likenesses, and identities were unlawfully used to advertise or sell products and services through Sponsored Stories without obtaining those members' consent.

### "Sponsored Stories

([http://www.pcworld.com/article/251380/on facebook think before you like.html](http://www.pcworld.com/article/251380/on_facebook_think_before_you_like.html))" is targeted advertising that uses information about your friends to sell stuff to you.

To settle a class action lawsuit (*Angel Fraley v. Facebook*) resulting from those allegations of unlawful use of its members' content, the social network is proposing to pay \$20 million into a fund to be used to pay members who appeared in the sponsored stories.

If you received the legal notice from Facebook, you may be paid up to \$10 as part of the settlement.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT		
<b>SUBMIT A CLAIM FORM</b>	This is the only way to be eligible to receive a payment, if the Court orders payment to Class Members.	Deadline: May 2, 2013
<b>EXCLUDE YOURSELF</b>	This is the only option that allows you to retain the ability to file your own lawsuit about the legal claims in this case.	Deadline: May 2, 2013
<b>OBJECT</b>	Write to the Court about why you object to (i.e., don't like) the Settlement and think it shouldn't be approved.	Deadline: May 2, 2013
<b>GO TO THE "FAIRNESS HEARING"</b>	The Court will hold a "Fairness Hearing" to consider the Settlement, the request for attorneys' fees and expenses of the lawyers who brought the Action ("Class Counsel"), and the class representatives' request for service awards for bringing the Action.  You may, but are not required to, speak at the Fairness Hearing about any Objection you filed. If you intend to speak at the Fairness Hearing, you must follow the procedures stated on the Settlement website to notify the Court and parties of your intent when you serve your Objection.	Hearing Date: June 28, 2013 at 10:00 a.m.
<b>DO NOTHING</b>	You will not receive a payment, even if the Court orders payment to Class Members. You will also be giving up your right to bring your own lawsuit related to the claims in the Action. You may be eligible to receive the non-monetary benefits of the Settlement, if the Settlement is finally approved for you.	No deadline

RECOMMENDED FOR YOU

### Facebook Settles 'Sponsored Stories'

There's no guarantee you'll get a payment, however.

[Lawsuit for \\$20 Million](#)  
(/article/258171/facebook\_settles\_sponsored\_stc

As the notice points out, <sup>Read more at <http://article/258171/facebook-settles-sponsored-stories-lawsuit-for-10-million.htm></sup> the amount, if any, paid to each claimant depends upon the number of claims made and other factors detailed in the settlement. No one knows in advance how much each claimant will receive, or whether any money will be paid directly to claimants."

Since as many as 100 million Facebook members may be affected by the settlement, and the fund would be exhausted after paying \$10 to 2 million members, there's a good possibility that the alternative distribution scheme outlined in the settlement will be implemented.

That alternative would divvy up the money among a number of non-profit organizations involved in educational outreach that teaches adults and children how to use social media technologies safely, or are involved in research of social media.

According to the long form of the legal notice [PDF (<http://docs.fraleyfacebooksettlement.com/docs/notice.pdf>)], those organizations include the Center for Democracy and Technology, Electronic Frontier Foundation, MacArthur Foundation, Joan Ganz Cooney Center, Berkman Center for Internet and Society (Harvard Law School), Information Law Institute (NYU Law School), Berkeley Center for Law and Technology (Berkeley Law School), Center for Internet and Society (Stanford Law School), High Tech Law Institute, (Santa Clara University School of Law), Campaign for Commercial-Free Childhood, Consumers Federation of America, Consumer Privacy Rights Fund, ConnectSafely.org, and WiredSafety.org.

You can [fill out a claim form \(http://fraleyfacebooksettlement.com/claim\)](http://fraleyfacebooksettlement.com/claim) and see what happens.

The Fraley case [began winding its way through the courts \(http://www.citmedialaw.org/threats/fraley-v-facebook\)](http://www.citmedialaw.org/threats/fraley-v-facebook) in March 2011, when five Facebook members, including two minors, maintained they claimed to represent a class of people injured by the Sponsored Stories.

In June 2012, Facebook and its opponents in the litigation announced a [10 million settlement \(http://www.pcworld.com/article/258171/facebook-settles-sponsored-stories-lawsuit-for-1\)](http://www.pcworld.com/article/258171/facebook-settles-sponsored-stories-lawsuit-for-1) in the case in which all the money would go to social service organizations and advocacy groups involved in the protection of children in the context of social media.

About a month later, the federal judge presiding over the case -- Judge Lucy Koh, who also presided over Apple's successful intellectual property case against Samsung in the U.S. -- [recused herself \(http://articles.chicagotribune.com/2012-07-11/business/chi-judge-recuses-herself-from-facebook-sponsored-stories-suit-20120711\\_1\\_judge-recuses-facebook-members-angel-fraley\)](http://articles.chicagotribune.com/2012-07-11/business/chi-judge-recuses-herself-from-facebook-sponsored-stories-suit-20120711_1_judge-recuses-facebook-members-angel-fraley) from the case without an explanation.

Judge Richard Seeborg, who took over the case from Koh, subsequently [rejected the \\$10 million settlement \(http://www.pcworld.com/article/261089/us-judge-rejects-settlement-in-facebook-ponso\)](http://www.pcworld.com/article/261089/us-judge-rejects-settlement-in-facebook-ponso). In denying the proposed settlement, the judge maintained that Facebook did not adequately justify the size of the final deal.

A deal with a new settlement amount was hammered out in October and received preliminary approval from Seeborg in December.



