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21 **UNITED STATES DISTRICT COURT**  
22 **NORTHERN DISTRICT OF CALIFORNIA**  
23 **SAN FRANCISCO DIVISION**

24 META PLATFORMS, INC., a Delaware  
25 corporation,

26 Plaintiff/Counterclaim  
27 Defendant,

28 v.

BRANDTOTAL, LTD., an Israel  
corporation, and UNIMANIA, INC., a  
Delaware corporation,

Defendants/Counterclaim  
Plaintiffs.

Case No. 3:20-cv-07182-JCS

**META PLATFORMS’ NOTICE OF  
MOTION AND MOTION FOR  
PERMANENT INJUNCTION, AND  
MEMORANDUM OF POINTS AND  
AUTHORITIES IN SUPPORT THEREOF**

Hon. Joseph C. Spero  
Courtroom F – 15<sup>th</sup> Floor  
Date: September 30, 2022  
Time: 2:00 p.m.

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1                   **NOTICE OF MOTION AND MOTION FOR PERMANENT INJUNCTION**

2                   PLEASE TAKE NOTICE THAT, on September 30, 2022 at 2:00 p.m. or as soon thereafter  
3 as the matter may be heard, in Courtroom F of the U.S. District Court for the Northern District of  
4 California, San Francisco Division, at 450 Golden Gate Avenue, San Francisco, California,  
5 Plaintiff/Counterclaim Defendant Meta Platforms, Inc. (“Meta”) will and hereby does move for  
6 entry of a permanent injunction against Defendants/Counterclaim Plaintiffs BrandTotal, Ltd. and  
7 Unimania, Inc. (together, “BrandTotal” or “Defendants”), and all other individuals who are  
8 described in Federal Rule of Civil Procedure 65(d)(2). This Motion is based upon this Notice of  
9 Motion, the Memorandum of Points and Authorities filed herewith.

10                                   **MEMORANDUM OF POINTS AND AUTHORITIES**

11   **INTRODUCTION**

12                   For at least five years, BrandTotal intentionally engaged in an extensive and unauthorized  
13 data scraping operation to collect user and advertising data from Facebook and Instagram.  
14 BrandTotal made a calculated business decision to develop and use multiple apps and extensions  
15 to scrape data from Meta in violation of Facebook’s Terms of Service and Instagram’s Terms of  
16 Use (collectively the “Terms”). And it went to great lengths to conceal its conduct, including by  
17 using fake accounts and technical measures to evade detection by Meta. BrandTotal engaged in  
18 this conduct willfully, continuing to scrape data using its apps and extensions and developing and  
19 using multiple new scraping tools, even after Meta filed this lawsuit and unambiguously revoked  
20 any access to its platforms.

21                   On May 27, 2022, this Court held that all of BrandTotal’s conduct breached the Facebook  
22 and Instagram Terms and that BrandTotal had also violated the California Comprehensive  
23 Computer Data Access and Fraud Act (“CDAFA”), Cal. Penal Code § 502 and California’s unfair  
24 competition law (“UCL”). The Court therefore granted Meta’s motion for partial summary  
25 judgment as to liability on Meta’s breach of contract, CDAFA, and UCL claims. Dkt. 344 at 41  
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