

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

CONNECTU, INC., CAMERON	)	
WINKLEVOSS, TYLER WINKLEVOSS,	)	
AND DIVYA NARENDRA,	)	CIVIL ACTION NO. 1:07-cv-10593 (DPW)
	)	
Plaintiffs,	)	Related Action 1:04-cv-11923 (DPW)
	)	
v.	)	
	)	
FACEBOOK, INC., MARK ZUCKERBERG,	)	
EDUARDO SAVERIN, DUSTIN	)	
MOSKOVITZ, ANDREW MCCOLLUM,	)	
AND THEFACEBOOK LLC,	)	
	)	
Defendants.	)	

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**DECLARATION OF MEREDITH H. SCHOENFELD IN SUPPORT OF  
PLAINTIFFS’ MOTION FOR SANCTION OF NON-DISMISSAL, OR IN THE  
ALTERNATIVE TO VACATE FINAL JUDGMENT PURSUANT TO F.R.C.P. 60**

I, Meredith H. Schoenfeld, declare as follows:

1. I am an attorney with the law firm of Finnegan, Henderson, Farabow, Garrett & Dunner, LLP, counsel for Plaintiff ConnectU, Inc., Cameron Winklevoss, Tyler Winklevoss, and Divya Narendra. I make this Declaration in support of Plaintiffs’ Motion For Sanction Of Non-Dismissal, Or In The Alternative To Vacate Final Judgment Pursuant to F.R.C.P. 60. I am an active member in good standing of the Bars of the State of California and the District of Columbia and I am admitted to appear *pro hac vice* before this Court. I have personal knowledge of the facts stated therein and if called as a witness, could and would competently testify thereto.

2. A timeline of discovery in the 1:07-cv-10593 and 1:04-cv-11923 actions is attached hereto as Ex. A.

3. A true and correct copy of Defendants' response to Document Request No. 173 is attached hereto as Ex. B.
4. A true and correct copy of Zuckerberg's counsel's November 30, 2005 letter is attached hereto as Ex. C.
5. A true and correct copy of Defendants' responses to ConnectU's Document Request Nos. 7-9, 14, 18-21, and 23-24 is attached hereto as Ex. D.
6. A true and correct copy of Defendants responses to ConnectU's Document Request Nos. 116-118 is attached hereto as Ex. E.
7. A true and correct copy of the March 1, 2006 deposition transcript of Max Kelly is attached hereto as Ex. F.
8. A true and correct copy of Defendants' counsel's November 23, 2005 letter is attached hereto as Ex. G.
9. A true and correct copy of the January 22, 2008 Order in the Northern District of California case is attached hereto as Ex. H.
10. A true and correct copy of ConnectU's counsel's August 16, 2007 1:56 PM email to Zuckerberg's counsel is attached hereto as Ex. I.
11. A true and correct copy of an August 24, 2007 email from ConnectU's counsel to Zuckerberg's counsel is attached hereto as Ex. J.
12. A true and correct copy of a November 17, 2005 email between the parties' counsel is attached hereto as Ex. K.
13. A true and correct copy of an August 22, 2007 email from ConnectU's counsel to Zuckerberg's counsel is attached hereto as Ex. L.

14. On February 11, 2008 the mediation was scheduled between the parties for February 22, 2008.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. This Declaration is executed on the 21st day of November, 2008.

/s/ Meredith H. Schoenfeld

Meredith H. Schoenfeld

**CERTIFICATE OF SERVICE**

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on November 21, 2008

/s/ John F. Hornick