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**Filed**

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CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

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*DMW*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

18 THE FACEBOOK, INC. and MARK  
19 ZUCKERBERG,

Plaintiffs,

v.

22 CONNECTU, INC. (formerly known as  
23 CONNECTU, LLC), PACIFIC NORTHWEST  
SOFTWARE, INC., WINSTON WILLIAMS,  
24 and WAYNE CHANG,

Defendants.

Case No. 5:07-CV-01389-JW

**NOTICE OF APPEAL**

1 Notice is hereby given that CAMERON WINKLEVOSS, TYLER WINKLEVOSS and  
2 DIVYA NARENDRA<sup>1</sup> appeal to the United States Court of Appeals for the Ninth Circuit from the  
3 following orders and judgment and all related orders:

- 4 (a) the December 15, 2008, Order of Dismissal (Docket No. 667), a copy of which is  
5 attached as Exhibit A;
- 6 (b) the November 21, 2008 Amended Judgment Ordering Specific Performance of  
7 Settlement Agreement and Declaratory Judgment of Release (Docket No. 665), a copy of  
8 which is attached as Exhibit B; and
- 9 (c) the November 3, 2008, Order Directing the Special Master to Deliver the Property Being  
10 Held in Trust to the Parties in Accordance with the Terms of their Settlement Agreement  
11 (Docket No. 653), a copy of which is attached as Exhibit C.

12 This notice is in additional to, and related to, their prior notice of appeal filed on August 11,  
13 2008 (Docket No. 611), which is incorporated by reference. In order to preserve all rights to appeal,  
14 notice is again provided that CAMERON WINKLEVOSS, TYLER WINKLEVOSS, and DIVYA  
15 NARENDRA appeal from the following orders and judgment and all related orders:

- 16 (d) the August 8, 2008, Order Denying the ConnectU Founders' Motion to Intervene;  
17 Denying ConnectU's Motion to Stay Execution of Judgment, entered by the district court  
18 on August 8, 2008 (Docket No. 610), a copy of which is attached as Exhibit D;

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21 <sup>1</sup> To the extent Cameron Winklevoss, Tyler Winklevoss and Divya Narendra and their  
22 counsel have any existing rights or obligations with respect to ConnectU, Inc. (all of the stock of  
23 ConnectU having been transferred to The Facebook, Inc. on December 15, 2008, as part of the  
24 settlement transaction which is at issue on appeal), Notice would hereby be given on ConnectU's  
25 behalf. Otherwise, no new notice is provided with respect to ConnectU. *See* ConnectU's Notice of  
26 Appeal (Docket No. 582), attached as Exhibit H, and hereby incorporated by reference. *See also*  
27 ConnectU and Cameron Winklevoss, Tyler Winklevoss, and Divya Narendra's Emergency Motion  
28 to Stay and Alternative Petition for Mandamus, filed with the United States Court of Appeals for the  
Ninth Circuit on November 24, 2008 (Docket No. 43 in Appeal No. 08-16745), also incorporated by  
reference, providing notice on that date that ConnectU was seeking relief from, among other things,  
the November 3 Order attached as Exhibit C and November 21 Amended Judgment attached as  
Exhibit B.

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- (e) the July 2, 2008, final Judgment Enforcing Settlement Agreement (Docket No. 476), a copy of which is attached as Exhibit E;
- (f) the June 25, 2008, Order Granting Plaintiffs' Confidential Motion to Enforce the Settlement Agreement (Docket No. 461), a copy of which is attached as Exhibit F; and
- (g) the June 10, 2008, Order Granting in Part and Denying in Part Motions Posted As Docket Items Nos. 366, 374 and 393 (Docket No. 428), a copy of which is attached as Exhibit G.

1 December 19, 2008

Respectfully submitted,

Evan A. Parke /KPR

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BOIES, SCHILLER & FLEXNER LLP

*Attorneys for Cameron Winklevoss, Tyler  
Winklevoss, and Divya Narendra.*

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