

EXHIBIT 6

Dalton, Amy

From: Sean SeLegue [sselegue@howardrice.com]
Sent: Thursday, January 21, 2010 11:10 AM
To: Sutton, Theresa A.; Chatterjee, I. Neel; Towery, James E.; Buchanan, Alison P.
Cc: Jerome B. Falk, Jr.
Subject: Winklevoss/Facebook: Ninth Circuit schedule

Counsel, we have decided to ask the Ninth Circuit for a 14-day extension of time to file our opening brief. As you know, the brief is now due on February 1. The Ninth Circuit's rules allow for an oral request for extension. See Cir. R. 31-2.2(a). The basic grounds are as follows: (a) as new counsel, preparing the brief is taking more time than we expected; (b) we have a draft brief that is lengthy, we'd like to attempt to shorten it, and additional time will assist with that; and (c) the activity in the District Court has consumed time that we would otherwise have applied to the brief.

I am hopeful you will not oppose this request but, in any event, I would like to place the call to the clerk this afternoon. Please let me know your position as soon as possible. I will be out of the office until about 2:00 p.m. but am available to discuss after that if necessary.

Regards,
Sean SeLegue

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