

CA Nos. 08-16745, 08-16849, 08-16873, 09-15021, 09-15133 (consolidated)
DC No. C 07-01389 JW

**UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

THE FACEBOOK, INC., ET AL.,
Plaintiffs/Appellees/Cross-Appellants,

v.

CONNECTU, INC.,
Defendant/Appellee,

and

CAMERON WINKLEVOSS, TYLER WINKLEVOSS
and DIVYA NARENDRA,
Defendants/Appellants/Cross-Appellees.

Appeal From Judgment Of The United States District Court
For The Northern District Of California
(Hon. James Ware, Presiding)

**APPELLANTS'/CROSS-APPELLEES' NOTICE OF NON-
OPPOSITION TO FACEBOOK'S MOTION (1) TO
DISMISS CROSS-APPEALS; AND (2) TO FILE
APPELLEES' BRIEF IN OPPOSITION IN EXCESS OF
WORD LIMIT**

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Appellants and Cross-Appellees Cameron Winklevoss, Tyler Winklevoss, and Divya Narendra (“Appellants”) do not oppose the May 26, 2010, Motion of Appellees and Cross-Appellants The Facebook, Inc. and Mark Zuckerberg (collectively, “Facebook”) (1) To Dismiss Cross-Appeals, and (2) To File Appellees’ Brief in Opposition in Excess of Word Limit. Specifically, Appellants do not oppose dismissal of the two cross-appeals without prejudice, with each side to bear its own costs in connection with those cross-appeals only. Appellants also do not oppose the filing of the Appellees’ Brief as submitted by Facebook on May 26, 2010.

DATED: June 10, 2010.

Respectfully,

JEROME B. FALK, JR.
SEAN M. SELEGUE
JOHN P. DUCHEMIN
NOAH S. ROSENTHAL
HOWARD RICE NEMEROVSKI CANADY
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By /s/ John P. Duchemin
JOHN P. DUCHEMIN

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Appellees Cameron Winklevoss, Tyler
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PROOF OF SERVICE

I hereby certify that I electronically filed the foregoing **APPELLANTS'/CROSS-APPELLEES' NOTICE OF NON-OPPOSITION TO FACEBOOK'S MOTION (1) TO DISMISS CROSS-APPEALS; AND (2) TO FILE APPELLEES' BRIEF IN OPPOSITION IN EXCESS OF WORD LIMIT** with the Clerk of the Court of the United States Court of Appeals for the Ninth Circuit by using the appellate CM/ECF system on **June 10, 2010**.

Participants in the case are registered CM/ECF users and that service will be accomplished by the appellate CM/ECF system.

I further certify that some of the participants in the case are not registered CM/ECF users. On **June 10, 2010**, I have mailed the foregoing document(s) described as **APPELLANTS'/CROSS-APPELLEES' NOTICE OF NON-OPPOSITION TO FACEBOOK'S MOTION (1) TO DISMISS CROSS-APPEALS; AND (2) TO FILE APPELLEES' BRIEF IN OPPOSITION IN EXCESS OF WORD LIMIT** by placing the document(s) for deposit in the United States Postal Service through the regular mail collection process at the law offices of Howard Rice Nemerovski Canady Falk & Rabkin, located at Three Embarcadero Center, Seventh Floor, San Francisco, California or have dispatched it to a third party commercial carrier for delivery within 3 days to the following non-CM/ECF participant:

**Mark A. Byrne
Byrne & Nixon LLP
800 W. Sixth Street, Suite 430
Los Angeles, California 90017**

/s/John P. Duchemin

John P. Duchemin