

CA No. 09-17050
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., ET AL.,
Defendants/Appellants/Cross-Appellees.

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

**DECLARATION OF SEAN M. SELEGUE IN
SUPPORT OF FOUNDERS' RESPONSE TO
NOVEMBER 25, 2009 FILING OF CONNECTU, INC.**

JEROME B. FALK, JR. (No. 39087)
SEAN M. SELEGUE (No. 155249)
JOHN P. DUCHEMIN (No. 250501)
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Appellees Cameron Winklevoss, Tyler
Winklevoss and Divya Narendra*

I, Sean M. SeLegue, declare as follows:

1. I am an attorney licensed to practice law in the State of California, and a member of the Bar of this Court. My law firm, Howard Rice Nemerovski Canady Falk & Rabkin, A Professional Corporation, is counsel of record for Appellants and Cross-Appellees Cameron Winklevoss, Tyler Winklevoss and Divya Narendra. I make this declaration based upon my personal knowledge of the matters stated herein, except where otherwise indicated. If called as a witness, I could and would testify competently to the facts stated herein.

2. Attached as Exhibit A is a true and correct copy of ConnectU's Civil Local Rule 7-11 Motion For A Telephonic Conference To Schedule A Hearing On An Order To Show Cause Re: Contempt Against The Founders And Finnegan. ConnectU filed this Motion in the Northern District of California on November 23, 2009.

3. Attached as Exhibit B is a true and correct copy of the Founders' Opposition To ConnectU's Motion For A Telephonic Conference (Civil Local Rule 7-11). The Founders filed this Opposition in the Northern District of California on November 30, 2009.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct, and that this Declaration was executed on this 4th day of December, 2009, in San Francisco, California.

/s/ *Sean M. SeLegue*
SEAN M. SELEGUE