

1 Scott R. Mosko (State Bar No. 106070)
2 FINNEGAN, HENDERSON, FARABOW,
3 GARRETT & DUNNER, L.L.P.
4 Stanford Research Park
5 3300 Hillview Avenue
6 Palo Alto, California 94304
7 Telephone: (650) 849-6600
8 Facsimile: (650) 849-6666

9 Attorney for Defendants Cameron
10 Winklevoss, Tyler Winklevoss, and
11 Divya Narendra

12 UNITED STATES DISTRICT COURT
13
14 NORTHERN DISTRICT OF CALIFORNIA
15
16 SAN JOSE DIVISION

17 FACEBOOK, INC.

18 Plaintiff,

19 v.

20 CONNECTU LLC, (now known as CONNECTU
21 INC.) CAMERON WINKLEVOSS, TYLER
22 WINKLEVOSS, DIVYA NARENDRA,
23 PACIFIC NORTHWEST SOFTWARE, INC.,
24 WINSTON WILLIAMS, WAYNE CHANG, and
25 DAVID GUCWA, and DOES 1-25,

26 Defendants.

CASE NO. C 07-01389 RS

**DECLARATION OF SCOTT R.
MOSKO IN SUPPORT OF
DEFENDANTS CAMERON
WINKLEVOSS, TYLER
WINKLEVOSS AND DIVYA
NARENDRA'S REPLY TO
PLAINTIFFS' OPPOSITION TO
DEFENDANTS' MOTION TO DISMISS
FOR LACK OF PERSONAL
JURISDICTION**

Date: October 10, 2007
Time: 9:30 a.m.
Dept.: 4
Judge: Hon. Richard Seeborg

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 0
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 0
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8

- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 0
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 0
- 1
- 2
- 3
- 4
- 5
- 6

3
4
5
6
7
8
9
0
1
2
3
4
5
6
7
8
9
0
1
2
3

8
9
0

- 1
- 2
- 3

4
5
6

7
8
9

20
21
22

23
24
2526
27
28

1 9. Attached hereto as Exhibit XXII-D is a true and correct copy of the Amended
2 Response of Defendant Divya Narendara's to Plaintiff's First Set of Special Interrogatories (1-23) in
3 the Superior Court for the County of Santa Clara action, Case No. 1:05-CV-047381.

4 10. Attached hereto as Exhibit XXIII is a true and correct copy of the Third Amended
5 Response of Defendant Cameron Winklevoss to Plaintiff's First Set of Special Interrogatories (1-23)
6 in the Superior Court for the County of Santa Clara action, Case No. 1:05-CV-047381.

7 11. Attached hereto as Exhibit XXIV is a true and correct copy of The Facebook, Inc.'s
8 First Set of Requests for Admission Directed to Defendant ConnectU LLC (C.C.P. § 2033), and the
9 Second Amended Response of Defendant ConnectU LLC to Form Interrogatories served in the
10 Superior Court for the County of Santa Clara action, Case No. 1:05-CV-047381.

11 12. Attached hereto as Exhibit XXV is a true and correct copy of certain pages from the
12 transcript of deposition of Defendant ConnectU LLC by Cameron Winklevoss taken on January 16,
13 2006 in the Superior Court for the County of Santa Clara action, Case No. 1:05-CV-047381 (**Filed**
14 **Under Seal**).

15 13. Attached hereto as Exhibit XXVI is a true and correct copy of Magistrate Judge
16 Robert B. Collings' Report and Recommendation on Facebooks Defendants' Motion to Dismiss
17 (#94) dated March 2, 2007 and Judge Douglas P. Woodlock's Electronic Order Adopting Report and
18 Recommendations as entered on March 28, 2007 in the District of Massachusetts action, Civil
19 Action No. 2004-11923-DPW.

20 14. Attached hereto as Exhibit XXVII is a true and correct copy of a Declaration of Tyler
21 Winklevoss in support of Defendants' Reply to the Opposition to the Motion to Dismiss. This
22 declaration is filed with an electronic signature. The original declaration with Mr. Winklevoss'
23 actual signature is in my possession.

24 15. Attached hereto as Exhibit XXVIII is a true and correct copy of a declaration of
25 Divya Narendra in support of Defendants' Reply to the Opposition to the Motion to Dismiss. This
26 declaration is filed with an electronic signature. The original declaration with Mr. Narendra's actual
27 signature is in my possession.
28

1 I declare under penalty of perjury under the laws of the United States that the foregoing is
2 true and correct, and that this declaration was executed on the 26th day of September, 2007, in Palo
3 Alto, California.

4
5 /s/

6 Scott R. Mosko
7 Attorney for Defendants Cameron
8 Winklevoss, Tyler Winklevoss, and
9 Divya Narendra
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28