

1 STEVEN C. HOLTZMAN (CA BAR NO. 144177)  
sholtzman@bsflp.com  
2 BOIES SCHILLER & FLEXNER LLP  
1999 Harrison Street, Suite 900  
3 Oakland, CA 94612  
Telephone: (510) 874-1000  
4 Facsimile: (510) 874-1460

5 D. MICHAEL UNDERHILL (*pro hac vice*)  
munderhill@bsflp.com  
6 BOIES SCHILLER & FLEXNER LLP  
5301 Wisconsin Avenue NW  
7 Washington, D.C. 20015  
Telephone: (202) 237-2727  
8 Facsimile: (202) 237-6131

9 Attorneys for Defendant  
CONNECTU, INC.

10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12 SAN JOSE DIVISION

13 THE FACEBOOK, INC. and MARK  
14 ZUCKERBERG,

15 Plaintiffs,

16 v.

17 CONNECTU, INC. (formerly known as  
CONNECTU, LLC), PACIFIC NORTHWEST  
18 SOFTWARE, INC., WINSTON WILLIAMS,  
and WAYNE CHANG,

19 Defendants.  
20  
21  
22  
23  
24  
25  
26  
27  
28

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

**DECLARATION OF STEVEN C.  
HOLTZMAN IN SUPPORT OF  
CONNECTU'S ADMINISTRATIVE  
MOTION TO SEAL**

**(1) CONNECTU, INC.'S OPPOSITION  
TO MOTION TO QUASH;  
(2) SECOND DECLARATION OF  
EVAN A. PARKE IN SUPPORT  
THEREOF;  
(3) SUPPLEMENTAL  
DECLARATION OF ROBERT T.  
CLARKSON IN SUPPORT  
THEREOF;  
(4) DECLARATION OF ROBERT T.  
CLARKSON IN SUPPORT  
THEREOF;  
(5) DECLARATION OF CAMERON  
WINKLEVOSS IN SUPPORT  
THEREOF;  
(6) CORRECTED DECLARATION  
OF DONNA HITSCHERICH IN  
SUPPORT THEREOF; AND  
(7) [PROPOSED] ORDER DENYING  
THE MOTION TO QUASH AND FOR A  
PROTECTIVE ORDER FILED BY  
FENWICK & WEST LLP AND  
GREGORY ROUSSEL**

HOLTZMAN DECL., MOTION TO SEAL  
5:07-CV-01389-JW

1 I, Steven C. Holtzman, declare as follows:

2 1. I am a partner with the law firm of Boies, Schiller & Flexner LLP, counsel  
3 to ConnectU, Inc. I am licensed to practice law in the State of California and have  
4 entered my appearance in this case. I have personal knowledge of the facts and  
5 circumstances set forth in this Declaration. I make this Declaration pursuant to Civil L.R.  
6 7-11 and 79-5(b).

7 2. Good cause exists for sealing (1) ConnectU, Inc.'s Opposition To Motion  
8 To Quash; (2) Second Declaration Of Evan A. Parke In Support Thereof; (3)  
9 Supplemental Declaration Of Robert T. Clarkson In Support Thereof; (4) Declaration Of  
10 Robert T. Clarkson In Support Thereof; (5) Declaration Of Cameron Winklevoss In  
11 Support Thereof; (6) Corrected Declaration Of Donna Hitscherich In Support Thereof;  
12 And (7) [Proposed] Order Denying The Motion To Quash And For A Protective Order  
13 Filed By Fenwick & West LLP And Gregory Roussel.

14  
15 Plaintiffs have taken the position that their Administrative Request and all papers  
16 filed in support thereof contain confidential information that is subject to the protection in  
17 the Stipulated Protective Order dated January 23, 2006. The materials requested to be  
18 sealed in this motion contain the same or related information that Plaintiffs contend is  
19 covered by that Protective Order and/or are alleged by Plaintiff to implicate  
20 confidentiality provisions found in a purported agreement that is the subject of dispute  
21 between the parties.<sup>1</sup>

22  
23 3. This Administrative Motion is being made pursuant to Civil L.R. 79-5,  
24 which requires a Court order to seal documents and does not permit sealing by  
25

26  
27 <sup>1</sup> By filing this declaration, ConnectU does not waive any arguments or rights as to (i) the admissibility or  
28 inadmissibility of evidence surrounding the purported agreement, (ii) the confidentiality or non-  
confidentiality of information relating to the purported agreement, or (iii) the enforceability or  
unenforceability of the purported agreement.

1 stipulation.

2 I declare under penalty of perjury that the foregoing is true and correct to the best  
3 of my knowledge. Executed this 2nd day of June, 2008.

4  
5 /s/ Steven C. Holtzman

6 Steven C. Holtzman  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

