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 FACEBOOK, INC.  
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8 UNITED STATES DISTRICT COURT  
 9 NORTHERN DISTRICT OF CALIFORNIA  
 10 SAN FRANCISCO DIVISION  
 11

12 DANIEL M. MILLER,  
 13 Plaintiff,  
 14 v.  
 15 FACEBOOK, INC. and YAO WEI YEO,  
 16 Defendants.

Case No. 3:10-CV-00264 (WHA)

**JOINT STIPULATION REGARDING  
 PLAINTIFF'S MOTION TO  
 COMPEL**

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1 Defendant Facebook, Inc. ("Facebook") and Plaintiff Daniel M. Miller ("Miller"), by and  
2 through their respective counsel of record, hereby stipulate as follows:

3 WHEREAS, on January 14, 2011, Miller filed a letter seeking to compel Facebook to  
4 produce the searchable electronic content, such as OCR text or metadata, corresponding to  
5 Facebook's document production, or to reproduce all documents in their native format;

6 WHEREAS, the parties held a Court-appointed meet and confer on January 19, 2011;

7 WHEREAS, the parties reached agreement regarding the issues raised in Plaintiff's  
8 January 14, 2011 letter to the Court;

9 WHEREAS, Facebook agrees to produce a DAT file containing searchable electronic  
10 content corresponding to Facebook's TIFF production by Friday, January 21, 2010;

11 NOW, THEREFORE, IT IS HEREBY STIPULATED by and between the parties,  
12 through their respective counsel, that:

13 Plaintiff's January 14, 2011 letter seeking to compel Facebook to reproduce documents in  
14 an alternative format is moot and that no further action is needed from the Court on this matter.

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16 **IT IS SO STIPULATED.**

17  
18 Dated: January 19, 2011

ORRICK, HERRINGTON & SUTCLIFFE LLP

19 */s/ Julio Avalos*

20 \_\_\_\_\_  
Julio C. Avalos  
Attorneys for Defendant  
FACEBOOK, INC.

21  
22  
23 Dated: January 19, 2011

HENINGER GARRISON & DAVIS LLC

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25 */s/ Brian Hancock*

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BRIAN HANCOCK  
Attorneys for Plaintiff  
DANIEL M. MILLER

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**Filer's Attestation:** Pursuant to General Order No. 45, §X(B), I attest under penalty of perjury that concurrence in the filing of the document has been obtained from its signatory.

Dated: January 19, 2011

Respectfully submitted,

/s/ Julio Avalos

JULIO C. AVALOS

**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

Dated: January \_\_\_\_, 2011

\_\_\_\_\_  
Honorable William Alsup  
United States District Judge