

EXHIBIT F

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN THE MATTER OF

DANIEL M. MILLER

Plaintiff,

v.

CASE NO:

CV-10-264 (WHA)

FACEBOOK, INC. and
YAO WEI YEO

Defendant.

HIGHLY CONFIDENTIAL

DEPOSITION OF TIMOTHY HALBERT

VOLUME 1

Friday, February 11, 2011

AT: 5:18 p.m.

Taken at:

Orrick Herrington & Sutcliffe LLP (London)
107 Cheapside
EC2V 6DN, London
United Kingdom

Reported by:
Leanne Shipp
Accredited Real-time Reporter

JOB No. 155429

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A P P E A R A N C E S

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VIDEOGRAPHER:

Phillip Hill
Videographer

19:59:57 1 A. We did it October, November-ish of 2009, so I think
20:00:01 2 it was about one month's work. It was a fairly drawn out
20:00:06 3 process, but we eventually got there.

20:00:22 4 Q. So your understanding, Mr. Halbert, having coded,
20:00:27 5 you know, some or half of that code, the SWF -- the SWF
20:00:36 6 flash file for Obechi, do you know where that flash file
20:00:42 7 resides online?

20:00:44 8 A. Um ... I could -- I could find the address. Um ...
20:00:48 9 the -- it will be linked to by one of the web pages that we
20:00:52 10 created for the Facebook application. It will also be on
20:00:56 11 his K2xl.com website as well.

20:01:05 12 Q. Okay. So sorry, I just want to clarify, is it your
20:01:12 13 testimony that that SWF file -- well, strike that. If
20:01:26 14 I were to play the Obechi application through the Facebook
20:01:31 15 platform, where would that SWF file reside?

20:01:41 16 A. Um ... I'm pretty certain that's hosted on his
20:01:46 17 website, K2xl.com and it just appears in -- in the Facebook
20:01:52 18 browser.

20:01:56 19 Q. Okay. Has Mr. Miller told you anything about his
20:02:15 20 case against Facebook?

20:02:18 21 A. ... um

20:02:19 22 Q. And Mr. Yao?

20:02:25 23 A. I'm aware he's been advised to tell me as little as
20:02:27 24 possible. He's tried to tell me as little as possible
20:02:30 25 without harming the nature of the case --

Highly Confidential

CERTIFICATE OF COURT REPORTER

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I, Leanne Shipp, an Accredited Real-time Reporter, hereby certify that the testimony of the witness Timothy Halbert in the foregoing transcript, numbered pages 1 through 128, taken on this 11th day of February, 2011 was recorded by me in machine shorthand and was thereafter transcribed by me; and that the foregoing transcript is a true and accurate verbatim record of the said testimony.

I further certify that I am not a relative, employee, counsel or financially involved with any of the parties to the within cause, nor am I an employee or relative of any counsel for the parties, nor am I in any way interested in the outcome of the within cause.

Signed: *Leanne Shipp*
Name: Leanne Shipp
Date: *14/2/11*