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8 UNITED STATES DISTRICT COURT  
 9 NORTHERN DISTRICT OF CALIFORNIA  
 10 SAN FRANCISCO DIVISION  
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12 DANIEL M. MILLER,  
 13 Plaintiff,  
 14 v.  
 15 FACEBOOK, INC. and YAO WEI YEO,  
 16 Defendants.  
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Case No. 3:10-CV-00264 (WHA)

**[PROPOSED] ORDER GRANTING  
 FACEBOOK'S MOTION FOR  
 SUMMARY JUDGMENT OF FIRST  
 COUNTERCLAIM FOR BREACH OF  
 CONTRACT**

Date: April 7, 2011  
 Time: 8:00 A.M.  
 Court: Courtroom 9, 19th Floor  
 Judge: Honorable William Alsup

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1           The Court, having considered Facebook, Inc.’s (“Facebook”) Motion for Summary  
2 Judgment on its First Counterclaim for Breach of Contract against Counter-defendant Daniel M.  
3 Miller (“Miller”), the declarations filed in support thereof, and the records on file in this action,  
4 hereby orders as follows:

5           It is hereby ordered that Facebook’s Motion for Summary Judgment is GRANTED.

6           IT IS SO ORDERED.

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8 Dated:

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Honorable William H. Alsup  
United States District Judge