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6 Attorneys for Defendant  
 FACEBOOK, INC.  
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8 UNITED STATES DISTRICT COURT  
 9 NORTHERN DISTRICT OF CALIFORNIA  
 10 SAN FRANCISCO DIVISION

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

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

**DECLARATIONS OF COLIN S.  
 STRETCH AND CRAIG W. CLARK  
 IN RESPONSE TO THE COURT'S  
 NOTICE TO PARTIES RE JUNE 9,  
 2011 HEARING**

Date: June 9, 2011  
 Time: 2:00 p.m.  
 Court: Courtroom 9, 19<sup>th</sup> Floor  
 Judge: Honorable William Alsup

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1           In response to the Court's May 31, 2011, Notice to Parties re June 9, 2011 Hearing (Dkt.  
2 153), Facebook, Inc. ("Facebook") hereby submits the Declarations of Colin S. Stretch and Craig  
3 W. Clark, attached hereto as **Exhibits A and B**, respectively. Facebook awaits the Court's  
4 guidance as to whether a live appearance is desired. Should the Court find Facebook's attendance  
5 at the June 9, 2011 hearing necessary, Facebook will make its best efforts to have counsel and/or  
6 any requested witnesses present. Mr. Stretch is available on June 9, should the Court desire his  
7 presence or have further questions for him.

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9 Dated: June 8, 2011

ORRICK, HERRINGTON & SUTCLIFFE LLP

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11 */s/ I. Neel Chatterjee /s/*  
12 Neel Chatterjee  
13 Attorneys for Defendant  
14 FACEBOOK, INC.

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