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FACEBOOK, INC.

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

12 DANIEL MILLER,

13 Plaintiff,

14 v.

15 FACEBOOK INC., YAO WEI YEO,

16 Defendant.  
17

Case No. 5:10-CV-00264

**DECLINATION TO PROCEED  
BEFORE A MAGISTRATE JUDGE  
AND REQUEST FOR REASSIGNMENT  
TO A UNITED STATES DISTRICT  
JUDGE**

18 REQUEST FOR REASSIGNMENT TO A UNITED STATES DISTRICT JUDGE

19 The undersigned party hereby declines to consent to the assignment of this case to a  
20 United States Magistrate Judge for trial and disposition and hereby requests the reassignment of  
21 this case to a United States District Judge.

22 Dated: January 22, 2010

I. NEEL CHATTERJEE  
Orrick, Herrington & Sutcliffe LLP

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25 /s/ I. Neel Chatterjee /s/  
26 I. NEEL CHATTERJEE  
27 Attorneys for Defendant  
28 FACEBOOK, INC.