

EXHIBIT A

United States District Court
Northern District of California
Before The Honorable William Alsup

Daniel M. Miller,)
)
 Plaintiff,)
)
 vs.) No. C10-264 WHA
)
 Facebook, Incorporated,)
 et al.,)
)
 Defendant.)
 _____)

San Francisco, California
Thursday, May 27, 2010

Reporter's Transcript Of Proceedings

Appearances:

For Plaintiff: The Law Office of D. Gill Sperlein
584 Castro Street, Suite 879
San Francisco, California 94114
By: D. Gill Sperlein, Esquire

For Defendant: Orrick, Herrington & Sutcliffe
1000 Marsh Road
Menlo Park, California 94025
By: Indra Neel Chatterjee, Esquire

**Reported By: Sahar McVickar, RPR, CSR No. 12963
Official Reporter, U.S. District Court
For the Northern District of California**

(Computerized Transcription By Eclipse)

1 **THE COURT:** So your client, does he have a copyright
2 on the code as well as the name?

3 **MR. SPERLEIN:** He has a copyright on the code.

4 **THE COURT:** Did he have one at the time it was
5 allegedly copied?

6 **MR. SPERLEIN:** No, Your Honor, he did not.

7 **THE COURT:** I guess that doesn't matter.

8 **MR. SPERLEIN:** It would matter for statutory damages
9 and attorney's fees but not for liability.

10 **THE COURT:** All right. So you're saying -- so the
11 guy at Cornell somehow downloaded the code when he was playing
12 the game from your website, Mr. Miller's website, and then
13 wrote his own game but used exactly the same code and then gave
14 it to Facebook on a face page -- on a page, and it became the
15 top ten?

16 **MR. SPERLEIN:** I might quibble with some of that. I
17 don't know for certain how he accessed the code or how he did
18 that, I think that's, you know, something, again, would take
19 place in discovery with expert witnesses and computer engineers
20 that would know a lot more about how the game is developed than
21 I could tell you.

22 **THE COURT:** So how much money could be involved?
23 Can't be very much money at stake here.

24 **MR. SPERLEIN:** Oh, Your Honor, I mean, Facebook --

25 **THE COURT:** A few hundred dollars? What would it

CERTIFICATE OF REPORTER

I, Sahar McVickar, Official Court Reporter for the United States Court, Northern District of California, hereby certify that the foregoing proceedings were reported by me, a certified shorthand reporter, and were thereafter transcribed under my direction into typewriting; that the foregoing is a full, complete and true record of said proceedings as bound by me at the time of filing. The validity of the reporter's certification of said transcript may be void upon disassembly and/or removal from the court file.

/s/ Sahar McVickar

Sahar McVickar, RPR, CSR No. 12963

Thursday, June 3, 2010