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FACEBOOK, INC.

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

13 DANIEL M. MILLER,

14 Plaintiff,

15 v.

16 FACEBOOK, INC. and YAO WEI YEO,

17 Defendants.

Case No. 5:10-CV-00264 (WHA)

**[PROPOSED] ORDER GRANTING
FACEBOOK INC.'S MOTION TO
DISMISS PURSUANT TO 41(B)**

Date: September 16, 2010
Time: 8:00 A.M.
Court: Courtroom 9, 19th Floor
Judge: Honorable William Alsup

1 The Motion of Facebook, Inc. to dismiss the Miller's second amended complaint came on
2 for hearing on September 16, 2010, before the Honorable William H. Alsup;

3 The Court, having considered the papers filed in support of and in opposition to the
4 motions, the arguments presented at the hearing and other matters relevant to the determination of
5 these motions,

6 Hereby finds and ORDERS that the Second Amended Complaint is dismissed in its
7 entirety.

8 IT IS SO ORDERED.

9 Dated:

10 _____
11 Honorable William H. Alsup
12 United States District Judge
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