# **EXHIBIT K**

## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS

CONNECTU, INC., CAMERON WINKLEVOSS, TYLER WINKLEVOSS, AND DIVYA NARENDRA,

Plaintiffs,

V.

FACEBOOK, INC., MARK ZUCKERBERG, EDUARDO SAVERIN, DUSTIN MOSKOVITZ, ANDREW MCCOLLUM, and FACEBOOK, LLC,

Defendants.

Civil Action No. 1:07-CV-10593-DPW

## FACEBOOK DEFENDANTS' THIRD SUPPLEMENTAL RESPONSE TO PLAINTIFF'S INTERROGATORY NO. 19

Defendants Facebook, Inc., Mark Zuckerberg, Dustin Moskovitz, Andrew McCollum, and Facebook LLC (the "Facebook Defendants") hereby collectively supplement their response to Interrogatory 19 of Plaintiff ConnectU as follows:

#### GENERAL RESPONSES AND OBJECTIONS

The Facebook Defendants have not completed their investigation of this case and have not completed discovery or preparation for trial. The responses contained herein are based only on such information as is presently available to and specifically known to the Facebook Defendants. The Facebook Defendants reserve their right to supplement these responses or produce evidence of any subsequently discovered fact or facts that the Facebook Defendants may later develop. The responses contained herein are made in a good faith effort to supply as much factual information as is presently known, but should in no way lead to the prejudice of the Facebook Defendants in relation to further discovery, research or analysis.

The Facebook Defendants object to these interrogatories to the extent that they seek

information or documents falling within the scope of the attorney-client, work product, and/or other privileges, or information or documents containing or reflecting the mental impressions, conclusions or opinions, or legal theories of the Facebook Defendants' attorneys or other representatives concerning the pending action.

The Facebook Defendants object to these interrogatories to the extent they seek

(a) information unavailable to the Facebook Defendants, or (b) information in the public domain and/or equally available to Plaintiff's counsel, or (c) information already within Plaintiff's possession or knowledge.

The Facebook Defendants object to these interrogatories to the extent that they impose obligations that exceed the scope of the Federal Rules of Civil Procedure, including without limitation, the maximum number of interrogatories permitted under Rule 33(a). The Facebook Defendants object to these interrogatories to the extent that they contain numerous subparts and pose multiple questions. Any undertaking by the Facebook Defendants to respond to each of these interrogatories shall not constitute a waiver by the Facebook Defendants to object on Rule 33(a) grounds to these interrogatories or to any other interrogatories propounded by Plaintiff.

#### RESPONSES TO INTERROGATORIES

#### **INTERROGATORY NO. 19:**

Identify each computer hard drive or other electronic memory or storage device (including, without limitation, diskettes, CDs, DVDs, Jaz or Zip drives, disk or tape or other backup devices, electronic storage media, flash memory devices, or the like) in the possession, custody, or control of Mr. Zuckerberg, or on which Mr. Zuckerberg stored any information, from August 1, 2003 to the present, including but not limited to the "600-800 hard drives, or other memory devices" referred to in paragraph 5 of the Affidavit of Nicholas J. Heyman, attached to "Facebook Defendants" (i) Opposition to ConnectU LLC's Motion to Compel the Production of

Mirror Images of Defendants' Hard Drives and Other Electronic Memory Devices and Documents Created After May 21, 2004, and (ii) Cross-Motion for a Protective Order," and the present location and custodian of each device identified in response to this interrogatory.

#### THIRD SUPPLEMENTAL RESPONSE TO INTERROGATORY NO. 19:

Identification	Serial Number	Original Custodian	Location of Devices
Mark Zuckerberg	Unknown	Rackforce	Physical Location
Directory on			Unknown
Rackforce Server			<b>-</b>
(account "owned" by			In custody of:
Adam D'Angelo)			Rackforce
			Kelowna Technology
	·		Center - Landmark IV
			Building Suite 210
			628 Dickson Avenue
		,	Kelowna BC, Canada
			V1Y 9X1

A copy of the entire contents of the Mark Zuckerberg Home Directory on

Adam D'Angelo's personal Rackforce account was produced on November 13, 2007, at FBMA0059471.

Dated: November 16, 2007

ORRICK, HERRINGTON & SUTCLIFFE

Theresa A. Sutton

Attorneys for Facebook, Inc., Mark Zuckerberg, Dustin Moskovitz, Andrew McCollum, and

TheFacebook LLC

#### **VERIFICATION**

I, Adam D'Angelo, declare:

I have read FACEBOOK DEFENDANTS' THIRD SUPPLEMENTAL RESPONSE TO PLAINTIFF'S INTERROGATORY 19 and FACEBOOK DEFENDANTS' THIRD SUPPLEMENTAL RESPONSE TO PLAINTIFF'S INTERROGATORY 21, and I know the contents of the supplemental responses therein.

I am informed and believe, on present knowledge, that the matters stated therein are true and, on that ground, declare under penalty of perjury under the laws of the United States that the same are true and correct.

Executed in Palo Alto, California on November 15, 2007.

Adam D'Angelo

I am more than eighteen years old and not a party to this action. My place of employment and business address is 1000 Marsh Road, Menlo Park, CA 94025.

On **November 16, 2007**, I delivered to the below listed individuals the following document(s):

### 1. FACEBOOK DEFENDANTS' THIRD SUPPLEMENTAL RESPONSE TO PLAINTIFF'S INTERROGATORY NO. 19

X	By transmitting via facsimile the document(s) listed above to the fax number(s) set
	forth below before 5:00 p.m. on November 16, 2007.
X	By placing the document(s) listed above in a sealed envelope with postage thereon
	fully prepaid, in the United States mail at Menlo Park, California addressed as set forth
	below on November 16, 2007.

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Executed on **November 16, 2007**, at Menlo Park, California. I declare under penalty of perjury that the foregoing is true and correct.

Abby Ako Nai

## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS

CONNECTU, INC., CAMERON WINKLEVOSS, TYLER WINKLEVOSS, AND DIVYA NARENDRA,
Plaintiffs,

Civil Action No. 1:07-CV-10593-DPW

v.

FACEBOOK, INC., MARK ZUCKERBERG, EDUARDO SAVERIN, DUSTIN MOSKOVITZ, ANDREW MCCOLLUM, and FACEBOOK, LLC,

Defendants.

### FACEBOOK DEFENDANTS' THIRD SUPPLEMENTAL RESPONSES TO PLAINTIFF'S INTERROGATORY NO. 21

Defendants Mark Zuckerberg, Dustin Moskovitz, Andrew McCollum, and TheFacebook, Inc. (the "Facebook Defendants") hereby collectively supplement their response to Interrogatory 21 of Plaintiff ConnectU as follows:

#### **GENERAL RESPONSES AND OBJECTIONS**

The Facebook Defendants have not completed their investigation of this case and have not completed discovery or preparation for trial. The responses contained herein are based only on such information as is presently available to and specifically known to the Facebook Defendants. It is anticipated that further discovery, independent investigation, legal research and analysis will supply additional facts, and additional meaning to the known facts, as well as establish entirely new factual conclusions and legal contentions, all of which may lead to substantial additions to, changes in, and variations from the responses herein set forth.

The following responses are given without prejudice to the Facebook Defendants' right to produce evidence of any subsequently discovered fact or facts that the Facebook Defendants may

later develop. The responses contained herein are made in a good faith effort to supply as much factual information as is presently known, but should in no way lead to the prejudice of the Facebook Defendants in relation to further discovery, research or analysis.

The Facebook Defendants object to these interrogatories to the extent that they seek information or documents falling within the scope of the attorney-client, work product, and/or other privileges, or information or documents containing or reflecting the mental impressions, conclusions or opinions, or legal theories of the Facebook Defendants' attorneys or other representatives concerning the pending action.

The Facebook Defendants object to these interrogatories to the extent they seek (a) information unavailable to the Facebook Defendants; or (b) information in the public domain and/or equally available to Plaintiff's counsel; or (c) information already within Plaintiff's possession or knowledge.

The Facebook Defendants object to these interrogatories to the extent that they impose obligations that exceed the scope of the Federal Rules of Civil Procedure, including without limitation, the maximum number of interrogatories permitted under Rule 33(a). The Facebook Defendants object to these interrogatories to the extent that they contain numerous subparts an pose multiple questions. Any undertaking by the Facebook Defendants to respond to each of these interrogatories shall not constitute a waiver of the Facebook Defendants to object on Rule 33(a) grounds to these interrogatories or to any other interrogatories propounded by Plaintiff.

#### **RESPONSES TO INTERROGATORIES**

#### **INTERROGATORY NO. 21:**

Identify each of the persons that have provided website hosting services; website server services or server capacity; electronic storage services; storage servers or electronic storage capacity; electronic archive services; or other data processing services or capacity, and specify

#### **VERIFICATION**

I, Adam D'Angelo, declare:

I have read FACEBOOK DEFENDANTS' THIRD SUPPLEMENTAL RESPONSE TO PLAINTIFF'S INTERROGATORY 19 and FACEBOOK DEFENDANTS' THIRD SUPPLEMENTAL RESPONSE TO PLAINTIFF'S INTERROGATORY 21, and I know the contents of the supplemental responses therein.

I am informed and believe, on present knowledge, that the matters stated therein are true and, on that ground, declare under penalty of perjury under the laws of the United States that the same are true and correct.

Executed in Palo Alto, California on November 15, 2007.

.

Adam D'Angelo

I am more than eighteen years old and not a party to this action. My place of employment and business address is 1000 Marsh Road, Menlo Park, CA 94025.

On November 16, 2007, I delivered to the below listed individuals the following document(s):

### 1. FACEBOOK DEFENDANTS' THIRD SUPPLEMENTAL RESPONSES TO PLAINTIFF'S INTERROGATORY NO. 21

X	By transmitting via facsimile the document(s) listed above to the fax number(s) set
	forth below before 5:00 p.m. on November 16, 2007.
X	By placing the document(s) listed above in a sealed envelope with postage thereon
	fully prepaid, in the United States mail at Menlo Park, California addressed as set forth
	below on November 16, 2007.

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