

EXHIBIT 2

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Connectu LLC, Cameron Winklevoss,
7 Tyler Winklevoss, Howard Winklevoss,
and Divya Narendra
8
9

10 SUPERIOR COURT OF THE STATE OF CALIFORNIA
11 COUNTY OF SANTA CLARA
12

13 THE FACEBOOK, INC.
14 Plaintiff,
15 v.
16 CONNECTU LLC, CAMERON WINKLEVOSS,
17 TYLER WINKLEVOSS, HOWARD
WINKLEVOSS, DIVYA NARENDRA, AND
DOES 1-25,
18 Defendants.
19

CASE NO. 105 CV 047381
**THIRD AMENDED RESPONSE OF
DEFENDANT CAMERON
WINKLEVOSS TO PLAINTIFF'S
FIRST SET OF SPECIAL
INTERROGATORIES (1-23)**

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1 **PROPOUNDING PARTY:** Plaintiff THEFACEBOOK, INC.
2 **RESPONDING PARTY:** Defendant CAMERON WINKLEVOSS
3 **SET NO.:** ONE (1)
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5 TO PLAINTIFF AND ITS ATTORNEYS OF RECORD:

6 The above-named party hereby responds, pursuant to California Code of Civil Procedure
7 Section 2030.210(a), to the First Set of Special Interrogatories as follows:

8 **GENERAL OBJECTIONS**

9 1. Responding party objects to each interrogatory and to the definitions and instructions to
10 the extent they seek to impose obligations that are broader than or inconsistent with the California
11 Code of Civil Procedure and applicable Local Rules or court orders.

12 2. Responding party objects to each interrogatory, and to the definitions and instructions to
13 the extent they seek the disclosure of information protected by the attorney-client privilege, attorney
14 work-product doctrine, or any other applicable privilege or protection, as provided by any applicable
15 law. Responding party does not intend to produce such privileged or protected documents or
16 information, and the inadvertent disclosure of such is not to be deemed a waiver of any privilege.
17 Responding party expressly reserves the right to object to the introduction at trial or any other use of
18 such information that may be inadvertently disclosed. In addition, Responding party objects to the
19 interrogatories and all definitions and instructions to the extent they seek and/or require Responding
20 party to produce a privilege log for documents or information falling within the attorney-client
21 privilege or work-product doctrine, if such documents or information were created after the date that
22 this lawsuit was filed.

23 3. Responding party objects to each interrogatory and all other definitions and instructions
24 to the extent they are vague, overly broad, unduly burdensome, exceed the boundaries of
25 discoverable information, or fail to describe the information sought with the required reasonable
26 particularity.

27 4. Responding party objects to each interrogatory and all definitions and instructions to the
28 extent the burden or expense of the proposed discovery outweighs its likely benefit, given the needs

1 of the case, the amount in controversy, the parties' resources, the importance of the issues at stake in
2 the litigation, and the importance of the proposed discovery in resolving the issues.

3 5. Responding party objects to each interrogatory and all other definitions and instructions
4 to the extent they seek information that is confidential financial, proprietary, trade secret or other
5 confidential or competitively sensitive business information relating to Responding party or any
6 third party. Responding party reserves the right to object that certain information is so confidential
7 and sensitive that it will not be produced even pursuant to a protective order.

8 6. Responding party objects to each interrogatory and all definitions and instructions to the
9 extent they seek information not in Responding Party's custody or control.

10 7. Responding party objects to the interrogatory and all other definitions and instructions to
11 the extent they seek information that is beyond the scope of this litigation, is not relevant, or that
12 falls outside the parameters of discoverable information under the California Code of Civil
13 Procedure.

14 8. Responding party has not yet completed its investigation, collection of information,
15 discovery, and analysis relating to this action. The following response is based on information
16 known and available to Responding party at this time. Responding party reserves the right to
17 modify, change, or supplement its response and to produce additional evidence at trial.

18 9. Responding party's agreement to furnish information in response to Plaintiff's
19 interrogatories shall not be deemed as an admission regarding the relevance of the requested
20 information, nor is it intended to waive any right to object the admissibility of such at trial.

21 10. Responding party objects to producing at this time documents unrelated to the issue of
22 personal jurisdiction over the individual Defendants.

23 **OBJECTIONS TO DEFINITIONS**

24 1. Responding party objects to all definitions to the extent they impose burdens on
25 responding different or greater than those provided in the California Code of Civil Procedure.

26 2. Responding party objects to all definitions to the extent that they are burdensome,
27 oppressive and unnecessary.

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1 3. Responding party objects to the definition of “ConnectU” as overly oppressive,
2 burdensome, and effectively creating a subpart, compound and/or complex interrogatory. When the
3 word “ConnectU” is used in an interrogatory, Responding party shall assume it means only the
4 limited liability company entitled ConnectU L.L.C.

5 4. Responding party objects to the definition of “Harvardconnection”, as vague,
6 uncertain and overbroad. When the word Harvardconnection is used in an interrogatory,
7 Responding party shall assume it means only the unincorporated entity once called
8 “Harvardconnection”.

9 5. Responding party objects to the definition of “Facebook” as vague, uncertain,
10 overbroad and unintelligible. When the word Facebook is used in an interrogatory, Responding
11 party shall assume it means only the entity identified in the complaint.

12 6. Responding party objects to the definition of “Winklevoss Companies” as vague,
13 overbroad, oppressive, and burdensome.

14 7. Responding party objects to the phrase “Pacific Northwest Software” as uncertain,
15 overbroad and unintelligible. When the phrase “Pacific Northwest Software” is used in an
16 interrogatory, Responding party will assume it means an entity providing certain software.

OBJECTIONS TO INSTRUCTIONS

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18 1. Responding party objects to Instruction No. 1 as beyond the scope of the California
19 Code of Civil Procedure.

20 2. Responding party objects to Instruction Nos. 2, 3, 4, and 5 as compound, complex
21 and creating subpart interrogatories.

22 3. Responding party objects to Instruction Nos. 7, and 8 as compound, complex, and
23 creating subpart interrogatories.

24 4. Responding party objects to Instruction No. 10 as compound, complex, and creating
25 subpart interrogatories.

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1 **RESPONSES AND SPECIFIC OBJECTIONS**

2 **INTERROGATORY NO. 7:**

3 Responding Party incorporates each of his prior responses and objections herein to this third
4 amended response. In addition, Responding Party responds as follows: On different occasions,
5 Responding Party logged into facebook.com. Responding Party’s friends, including Mark Hall and
6 Alexander Chastain Chapman provided Responding party with their log-in information for
7 facebook.com and authorized Responding Party to use this log-in information to access and use the
8 information provided on facebook.com. Responding Party does not recall the number of times he
9 accessed facebook.com. The purpose of some of these occasions was to see what information was
10 available on the site. Responding Party communicated with Tyler Winklevoss, Divya Narendra and
11 Winston Williams regarding some of the information on facebook.com. Responding party has no
12 specific recollection of the details of these communications with Tyler Winklevoss or Divya
13 Narendra. Responding Party recalls general discussions with Winston Williams regarding an
14 automated process for sending invitations to various email addresses found on facebook.com.

15 **INTERROGATORY NO. 14:**

16 Responding Party incorporates his earlier response and objections herein to this third
17 amended response. In addition, Responding Party responds as follows:

18 Responding Party understands the parties have agreed to limit this interrogatory as it refers to
19 “agents” to third-party activities that concerned facebook.com user addresses.

20 ConnectU does not concede or believe any of the consultants it hired was an “agent.”
21 ConnectU retained Pacific Northwest Software for the purpose of developing and furthering the
22 ConnectU website. Pacific Northwest Software was involved in creating and implementing an
23 automated process for sending invitations to various email addresses found on facebook.com.
24 Assisting with this automated process were Wayne Chang, David Gucwa, and Joel Voss.

VERIFICATION

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I, Cameron Winklevoss am a defendant in the above titled action. I have read the Third Amended Responses to Plaintiff's First Set of Special Interrogatories. I am informed and believe that these responses are true and correct to the best of my knowledge. I declare under penalty of perjury that the foregoing is true and correct and that this verification was executed on the 3 day of April, 2006.



Cameron Winklevoss

1 Scott R. Mosko (State Bar No. 106070)
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6 Attorneys for Defendants ConnectU, LLC,
Cameron Winklevoss, Tyler Winklevoss,
7 Howard Winklevoss and Divya Narendra
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9 SUPERIOR COURT OF THE STATE OF CALIFORNIA
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12 THEFACEBOOK, INC.

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16 CONNECTU LLC, CAMERON WINKLEVOSS,
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17 WINKLEVOSS, DIVYA NARENDRA, AND
DOES 1-25,

18 Defendants.
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CASE NO. 105 CV 047381

CERTIFICATE OF SERVICE

1 **CERTIFICATE OF SERVICE**

2 I am a citizen of the United States, over the age of 18 years, and not a party to this action.
3 My place of employment and business address is Finnegan, Henderson April 3, 2006, I caused a
4 copy of the following documents to be served:
5

- 6 • **DEFENDANT HOWARD WINKLEVOSS'S DECLARATION**
- 7 • **DEFENDANT TYLER WINKLEVOSS'S DECLARATION**
- 8 • **DEFENDANT CAMERON WINKLEVOSS'S DECLARATION**
- 9 • **DEFENDANT DIVYA NARENDRA'S DECLARATION**
- 10 • **SECOND AMENDED RESPONSE OF DEFENDANT CONNECTU LCC TO**
11 **FORM INTERROGATORIES**
- 12 • **AMENDED RESPONSE OF DEFENDANT CAMERON WINKLEVOSS TO**
13 **FORM INTERROGATORIES**
- 14 • **AMENDED RESPONSE OF DEFENDANT TYLER WINKLEVOSS TO FORM**
15 **INTERROGATORIES**
- 16 • **AMENDED RESPONSE OF DEFENDANT DIVYA NARENDRA TO FORM**
17 **INTERROGATORIES**
- 18 • **AMENDED RESPONSE OF DEFENDANT HOWARD WINKELVOSS TO FORM**
19 **INTERROGATORIES**
- 20 • **THIRD AMENDED RESPONSE OF DEFENDANT CAMERON WINKLEVOSS**
21 **TO PLAINTIFF'S FIRST SET OF SPECIAL INTERROGATORIES (1-23)**

22 to be served on all parties as follows:

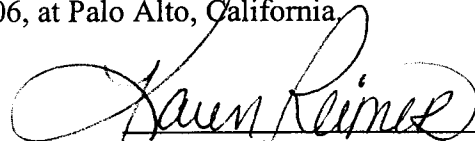
23 *Attorneys for Plaintiff*
24 Joshua H. Walker, Esq.
25 Monte Cooper, Esq.
26 ORRICK, HERRINGTON & SUTCLIFFE LLP
27 1000 Marsh Road
28 Menlo Park, CA 94025
Telephone: 650.614.7400
Facsimile: 650.614.7401

- Via First Class Mail
- Via Hand Delivery
- Via Overnight Courier
- Via Facsimile

29 I am readily familiar with my firm's practice for collection and processing correspondence
30 for mailing with the United States Postal Service, to wit, that correspondence be deposited with the
31 United States Postal Service this same day in the ordinary course of business. I sealed said envelope
32

1 and placed it for collection at our business offices on April 3, 2006, following ordinary business
2 practice.

3
4 I declare under penalty of perjury under the laws of the State of California that the foregoing
5 is true and correct. Executed on April 3, 2006, at Palo Alto, California.

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7 _____
8 Karen Reimer

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