

# **Exhibit E**

**Sutton, Theresa A.**

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**From:** Mosko, Scott [scott.mosko@finnegan.com]  
**Sent:** Wednesday, January 23, 2008 11:50 AM  
**To:** Sutton, Theresa A.  
**Subject:** RE: Request for deposition dates and times

Theresa,

We disagree that you cannot identify the appropriate witnesses based on the topics I have provided below. It appears you are refusing to make your witnesses available, and we will advise the Court accordingly.

Scott R. Mosko  
Finnegan, Henderson, Farabow, Garrett & Dunner, LLP  
3300 Hillview Avenue  
Palo Alto, California 94304-1203  
PH: 650-849-6672  
FAX: 650-849-6666  
EMAIL: [scott.mosko@finnegan.com](mailto:scott.mosko@finnegan.com)

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**From:** Sutton, Theresa A. [mailto:[tsutton@orrick.com](mailto:tsutton@orrick.com)]  
**Sent:** Wednesday, January 23, 2008 11:43 AM  
**To:** Mosko, Scott  
**Cc:** Cooper, Monte; Dalton, Amy  
**Subject:** RE: Request for deposition dates and times

Scott-

I can't give you dates without first being able to identify the specific topics. Facebook has a number of employees and, depending on the topics, one person may be more appropriate than another. You'll need to serve a notice with topics, so if you can just provide those to me, I can get you dates.

Theresa



*Theresa A. Sutton*  
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**From:** Mosko, Scott [mailto:[scott.mosko@finnegan.com](mailto:scott.mosko@finnegan.com)]  
**Sent:** Wednesday, January 23, 2008 11:24 AM  
**To:** Sutton, Theresa A.  
**Subject:** RE: Request for deposition dates and times

Theresa,

I cannot be any more specific at this time, other than what I have indicated. When are your witnesses available?

Scott R. Mosko  
Finnegan, Henderson, Farabow, Garrett & Dunner, LLP  
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PH: 650-849-6672  
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EMAIL: [scott.mosko@finnegan.com](mailto:scott.mosko@finnegan.com)

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**From:** Sutton, Theresa A. [mailto:[tsutton@orrick.com](mailto:tsutton@orrick.com)]  
**Sent:** Wednesday, January 23, 2008 11:17 AM  
**To:** Mosko, Scott  
**Cc:** Cooper, Monte; Dalton, Amy  
**Subject:** RE: Request for deposition dates and times

Scott-

Please provide me more specific information regarding the 30(b)(6) topics so that Facebook can determine the most appropriate witness(es).

Theresa



*Theresa A. Sutton*  
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**From:** Mosko, Scott [mailto:[scott.mosko@finnegan.com](mailto:scott.mosko@finnegan.com)]  
**Sent:** Thursday, January 17, 2008 5:12 PM  
**To:** Sutton, Theresa A.  
**Cc:** Wagner, Valerie  
**Subject:** Request for deposition dates and times

Theresa,

Defendant ConnectU seeks to notice a Rule 30(b)(6) deposition of Facebook. Please provide us with dates and times you and Facebook are available. The general topics of inquiry will be the operation of Facebook's servers, and its internet connections from the time its website launched to the present. Please get back to me at your earliest opportunity.

Thank you

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