

EXHIBIT B

1 G. HOPKINS GUY, III (State Bar No. 124811)
I. NEEL CHATTERJEE (State Bar No. 173985)
2 MONTE COOPER (State Bar No. 196746)
THERESA A. SUTTON (State Bar No. 211857)
3 ORRICK, HERRINGTON & SUTCLIFFE LLP
1000 Marsh Road
4 Menlo Park, CA 94025
Telephone: 650-614-7400
5 Facsimile: 650-614-7401

6 Attorneys for Plaintiff
THE FACEBOOK, INC.
7

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 COUNTY OF SANTA CLARA

11 THEFACEBOOK, INC.,
12 Plaintiff,
13 v.
14 CONNECTU LLC AND DOES 1-25,
15 Defendants.

CASE NO. 1:05-CV-047381

**FACEBOOK'S SECOND SET OF
REQUESTS FOR PRODUCTION OF
DOCUMENTS TO CONNECTU**

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19 **PROPOUNDING PARTY:** THEFACEBOOK, INC.

20 **RESPONDING PARTY:** CONNECTU

21 **SET NO.:** TWO (NOS. 24-80)
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1 YOU ARE HEREBY REQUESTED, pursuant to California Code of Civil Procedure
2 section 2031, to respond to the following requests for production separately and fully, in writing,
3 and under penalty of perjury, within thirty (30) days after service.

4 DEFINITIONS

5 1. "ANY" shall be understood to include and encompass "ALL." As used
6 herein, the singular shall always include the plural and the present tense shall also include the past
7 tense. The words "AND" as well as "OR" shall be construed disjunctively or conjunctively as
8 necessary to bring within the scope of this request ALL DOCUMENTS or things that might
9 otherwise be construed to be outside its scope.

10 2. The terms "PERSON" and "PERSONS" mean both natural persons and
11 legal entities, including, without limitation corporations, companies, firms, partnerships, joint
12 ventures, proprietorships, associations, and governmental bodies or agencies. Unless noted
13 otherwise, references to any person, entity or party herein include its, his, or her agents, attorneys,
14 employees, employers, officers, directors, or others acting on or purporting to act on behalf of
15 said person, entity, or party.

16 3. "EVIDENCE" or any variant thereof, including but not limited to
17 "EVIDENCING," when used in connection with any DOCUMENT, shall be understood to apply
18 if the DOCUMENT directly or indirectly mentions, discusses, constitutes, concerns, supports
19 contradicts, relates to, refers to, or in any other way deals with the subject matter described in the
20 request in which the term appears.

21 4. "REFER TO" or "RELATE TO" as used herein mean including, pertaining
22 to, relevant to, material to, evidencing, affecting, comprising, discussing, dealing with,
23 considering or otherwise concerning in any manner whatsoever the subject matter of the inquiry.

24 5. The term "DOCUMENT" means the original and each non-identical copy
25 of ANY written, printed, typed, recorded, computerized, electronic, taped, graphic, or other
26 matter, in whatever form, whether in final or draft, including but not limited to, ALL materials
27 that constitute "writings" or "recordings" or "photographs" within the broadest meaning of the
28 term "Writing" as defined in California Code of Evidence sections 250, 255, and 260, AND ALL

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1 materials that constitute “documents” within the broadest meaning of California Code of Civil
2 Procedure section 2031. DOCUMENT includes, without limitation, printed matter, electronic
3 mail, materials stored on computer hard drives, diskettes, tapes, ANY other computer media,
4 recorded voice mail messages and ANY other information stored magnetically, optically or
5 electronically.

6 6. “COMMUNICATION” means ANY contact, oral or documentary, formal
7 or informal, at ANY place or under ANY circumstances whatsoever whereby information of
8 ANY nature is transmitted or transferred, including, without limitation, ANY note, memorandum
9 or other record thereof, or a single person seeing or hearing ANY information by ANY means.

10 7. “HARVARDCONNECTION” means a project to develop a website for
11 Harvard University Students and alumni which made use of the term
12 “HARVARDCONNECTION,” and ANY individual, group, OR association conducting OR
13 proposing work to develop such website.

14 8. “CONNECTU,” “YOU,” “YOUR,” means defendant ConnectU LLC,
15 ConnectU, Inc., Harvard Connection, and their directors, officers, parents, subsidiaries,
16 predecessors, successors, assigns, agents, servants, employees, investigators, attorneys, AND
17 ALL other persons AND entities representing them, acting on their behalf, or purporting to act on
18 their behalf, including Howard Winklevoss, Cameron Winklevoss, Tyler Winklevoss, AND Divya
19 Narendra.

20 9. “FACEBOOK” means, without limitation, TheFacebook, Inc., its past and
21 present parents, subsidiaries, affiliates, predecessors, divisions, officers, directors, trustees,
22 employees, staff members, agents, counsel, representatives, consultants, and ALL persons acting
23 or purporting to act on its behalf.

24 10. “USERS” means, without limitation, PERSONS registered to use services
25 provided by CONNECTU, including without limitation, those provided at the connectu.com
26 website.

27 11. “SOCIAL BUTTERFLY” means “a tool that facilitates users’ ability to
28 add content to their social network profile” and which was “worked on by Wayne [Chang] and

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1 [Cameron Winklevoss]” as described in ConnectU’s deposition on August 9, 2005, in the
2 Massachusetts action, *ConnectU LLC v. Facebook, et al.*

3 12. “IMPORTER” means the program that Winston Williams programmed to
4 extract email from thefacebook.com, as described in ConnectU’s January 16, 2006, deposition.

5 **INSTRUCTIONS**

6 1. To “IDENTIFY” a DOCUMENT means:

- 7 a. to refer to the document’s identification or exhibit number if the document
8 has been previously produced or used in discovery or to attach a true copy
9 of the document to the interrogatory answers and to state the document’s
10 title and date, or if unknown, the approximate date of creation;
- 11 b. to identify each person who signed or participated in the preparation of the
12 document;
- 13 c. to identify each person who is an addressee, including each person to
14 whom a copy was to be sent or who received a copy of the document;
- 15 d. to summarize the subject matter of the document;
- 16 e. to provide the present location of the document and the identity of the
17 custodian of the original and each copy thereof; and
- 18 f. if the document no longer exists, to give the date on which it was
19 destroyed, the identity of the person who destroyed it, and the person under
20 whose authority it was destroyed.

21 2. In responding to the following requests, you are required to provide ALL
22 DOCUMENTS that are available to YOU or within YOUR control, including DOCUMENTS in
23 the possession of YOUR attorneys, investigators, employees, agents, representatives, and
24 guardians or any other person acting on YOUR behalf, and not merely DOCUMENTS from
25 YOUR own personal files.

26 3. If YOU object to any of the requests, YOU must state the grounds for any
27 objection(s). If YOU object to only part of a request, YOU must state the objection and the
28 grounds for any objection(s) and respond to the remainder of the request.

1 **REQUEST FOR PRODUCTION NO. 28:**

2 All DOCUMENTS that summarize, describe, or refer to COMMUNICATIONS
3 between YOU and Wayne Chang regarding SOCIAL BUTTERFLY.

4 **REQUEST FOR PRODUCTION NO. 29:**

5 All DOCUMENTS that summarize, describe, or refer to COMMUNICATIONS
6 between YOU and WAYNE CHANG regarding i2Hub.

7 **REQUEST FOR PRODUCTION NO. 30:**

8 All DOCUMENTS that summarize, describe, refer to, or constitute payments
9 made by YOU to Wayne Chang.

10 **REQUEST FOR PRODUCTION NO. 31:**

11 All COMMUNICATIONS between YOU and Pacific Northwest Software from
12 October 2003 until the present.

13 **REQUEST FOR PRODUCTION NO. 32:**

14 All DOCUMENTS that summarize, describe, refer to, or constitute YOUR
15 relationship with Pacific Northwest Software, including without limitation YOUR retention of
16 Pacific Northwest Software for purpose of web development.

17 **REQUEST FOR PRODUCTION NO. 33:**

18 All DOCUMENTS that summarize, describe, refer to, or constitute payments
19 made by YOU to Pacific Northwest Software.

20 **REQUEST FOR PRODUCTION NO. 34:**

21 All DOCUMENTS that summarize, describe, refer to, or constitute YOUR
22 relationship with Winston Williams.

23 **REQUEST FOR PRODUCTION NO. 35:**

24 All COMMUNICATIONS between YOU and Winston Williams from October
25 2003 until the present.

26 **REQUEST FOR PRODUCTION NO. 36:**

27 All DOCUMENTS that summarize, describe, refer to, or constitute payments
28 made by YOU to Winston Williams.

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1 **REQUEST FOR PRODUCTION NO. 37:**

2 All DOCUMENTS that summarize, describe, refer to, or reflect the development
3 and operation of IMPORTER.

4 **REQUEST FOR PRODUCTION NO. 38:**

5 All COMMUNICATIONS between CAMERON WINKLEVOSS and Mark Hall
6 from October 2003 until the present that summarize, describe or refer to the www.facebook.com
7 website.

8 **REQUEST FOR PRODUCTION NO. 39:**

9 All COMMUNICATIONS between CAMERON WINKLEVOSS and Alexander
10 Chastain-Chapman from October 2003 until the present that summarize, describe or refer to the
11 www.facebook.com website.

12 **REQUEST FOR PRODUCTION NO. 40:**

13 All DOCUMENTS and/or COMMUNICATIONS that summarize, describe, or
14 refer to YOUR use of Alexander Chastain-Chapman's user name and password to access the
15 Facebook website.

16 **REQUEST FOR PRODUCTION NO. 41:**

17 All COMMUNICATIONS between YOU and Sanjay Mavinkurve from October
18 2003 until the present that summarize, describe or refer to the www.FaceBook.com website.

19 **REQUEST FOR PRODUCTION NO. 42:**

20 All DOCUMENTS that summarize, describe, refer to, or constitute any agreement
21 between YOU and Sanjay Mavinkurve.

22 **REQUEST FOR PRODUCTION NO. 43:**

23 All DOCUMENTS that summarize, describe, refer to, or constitute payments
24 made by YOU to Sanjay Mavinkurve.

25 **REQUEST FOR PRODUCTION NO. 44:**

26 All DOCUMENTS that summarize, describe, refer to, or constitute any agreement
27 between YOU and Marc Pierrat.

1 **REQUEST FOR PRODUCTION NO. 45:**

2 All COMMUNICATIONS between YOU and Marc Pierrat from October 2003
3 until the present that summarize, describe or refer to the www.facebook.com website.

4 **REQUEST FOR PRODUCTION NO. 46:**

5 All DOCUMENTS that summarize, describe, refer to, or constitute payments
6 made by YOU to Mark Pierrat or iMarc.

7 **REQUEST FOR PRODUCTION NO. 47:**

8 All DOCUMENTS that summarize, describe, refer to, or reflect information
9 (including email addresses and course information) YOU downloaded from thefacebook.com or
10 www.facebook.com or www.thefacebook.com.

11 **REQUEST FOR PRODUCTION NO. 48:**

12 All DOCUMENTS that summarize, describe, refer to, or reflect YOUR reasons for
13 accessing thefacebook.com or www.facebook.com or www.thefacebook.com between January
14 2004 and September 2004.

15 **REQUEST FOR PRODUCTION NO. 49:**

16 All DOCUMENTS that summarize, describe, refer to, or constitute payments
17 made by YOU to I2HUB.

18 **REQUEST FOR PRODUCTION NO. 50:**

19 All DOCUMENTS and/or COMMUNICATIONS that summarize, describe, or
20 refer to YOUR use of Mark Hall's user name and password to access the Facebook website.

21 **REQUEST FOR PRODUCTION NO. 51:**

22 A copy of each version of the SOCIAL BUTTERFLY source code.

23 **REQUEST FOR PRODUCTION NO. 52:**

24 A copy of each version of the IMPORTER source code.

25 **REQUEST FOR PRODUCTION NO. 53:**

26 All DOCUMENTS that summarize, describe, refer to, or constitute profit and loss
27 statements for CONNECTU from 2003 until present.

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1 **REQUEST FOR PRODUCTION NO. 54:**

2 All DOCUMENTS that summarize, describe, refer to, or constitute balance sheets
3 for CONNECTU from 2003 until present.

4 **REQUEST FOR PRODUCTION NO. 55:**

5 All DOCUMENTS that summarize, describe, refer to, or constitute
6 COMMUNICATIONS to any PERSON inviting him or her to join HARVARDCONNECTION
7 or www.connectu.com since June 2003.

8 **REQUEST FOR PRODUCTION NO. 56:**

9 All DOCUMENTS that summarize, describe, refer to, or constitute any business
10 plans YOU drafted for HARVARDCONNECTION, CONNECTU or www.connectu.com.

11 **REQUEST FOR PRODUCTION NO. 57:**

12 All DOCUMENTS that summarize, describe, refer to YOUR plans for hosting
13 college course information on HARVARDCONNECTION or www.connectu.com.

14 **REQUEST FOR PRODUCTION NO. 58:**

15 All DOCUMENTS that summarize, describe, refer to, or constitute marketing or
16 advertising for HARVARDCONNECTION, CONNECTU or www.connectu.com.

17 **REQUEST FOR PRODUCTION NO. 59:**

18 All DOCUMENTS that summarize, describe, refer to, or constitute
19 COMMUNICATIONS between YOU and any PERSON regarding FACEBOOK.

20 **REQUEST FOR PRODUCTION NO. 60:**

21 DOCUMENTS sufficient to IDENTIFY any PERSON involved in any way in the
22 development of www.connectu.com or www.harvardconnection.com.

23 **REQUEST FOR PRODUCTION NO. 61:**

24 DOCUMENTS sufficient to IDENTIFY any PERSON involved in any way in the
25 population of members of www.connectu.com or www.harvardconnection.com.

26 **REQUEST FOR PRODUCTION NO. 62:**

27 DOCUMENTS sufficient to IDENTIFY current and former members of
28 www.connectu.com or www.harvardconnection.com and the date(s) on which they joined.

1 **REQUEST FOR PRODUCTION NO. 63:**

2 DOCUMENTS sufficient to IDENTIFY any investors, potential investors, loans,
3 investments, gifts, contributions, offers to purchase, or other forms of financing contributed to or
4 received by HARVARDCONNECTION, CONNECTU or www.connectu.com on a monthly
5 basis from January 2004 to the present.

6 **REQUEST FOR PRODUCTION NO. 64:**

7 DOCUMENTS that summarize, describe, refer to, or constitute transcripts, audio
8 recordings, and/or video recordings of interviews of Cameron or Tyler Winklevoss relating to
9 HARVARDCONNECTION, CONNECTU, www.connectu.com, or FACEBOOK.

10 **REQUEST FOR PRODUCTION NO. 65:**

11 DOCUMENTS sufficient to IDENTIFY daily, monthly and annual traffic to the
12 www.connectu.com website, from its launch to the present.

13 **REQUEST FOR PRODUCTION NO. 66:**

14 DOCUMENTS sufficient to IDENTIFY the universities, colleges and other
15 schools at which the www.connectu.com website is available or operational, on a monthly basis
16 from April 2004 to the present.

17 **REQUEST FOR PRODUCTION NO. 67:**

18 DOCUMENTS sufficient to IDENTIFY the number of persons registered to use
19 the www.connectu.com website, in total and broken out by university, college or other school, on
20 a daily basis from April 2004 to the present.

21 **REQUEST FOR PRODUCTION NO. 68:**

22 DOCUMENTS sufficient to IDENTIFY the number of hits per day to the
23 www.connectu.com website by the same users, in total and broken out by university, college or
24 other school, on a daily basis from April 2004 to the present.

25 **REQUEST FOR PRODUCTION NO. 69:**

26 DOCUMENTS sufficient to IDENTIFY YOUR fixed costs, on a monthly basis,
27 from the date of YOUR launch to the present.

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1 **REQUEST FOR PRODUCTION NO. 70:**

2 DOCUMENTS sufficient to IDENTIFY YOUR variable costs, on a monthly basis,
3 from the date of YOUR launch to the present.

4 **REQUEST FOR PRODUCTION NO. 71:**

5 DOCUMENTS sufficient to IDENTIFY YOUR overhead costs, on a monthly
6 basis, from the date of YOUR launch to the present.

7 **REQUEST FOR PRODUCTION NO. 72:**

8 DOCUMENTS sufficient to IDENTIFY YOUR monthly and annual revenue, from
9 the date of YOUR launch to the present.

10 **REQUEST FOR PRODUCTION NO. 73:**

11 DOCUMENTS sufficient to IDENTIFY YOUR monthly and annual gross profit,
12 from the date of YOUR launch to the present.

13 **REQUEST FOR PRODUCTION NO. 74:**

14 DOCUMENTS sufficient to IDENTIFY YOUR monthly and annual net profit,
15 from the date of YOUR launch to the present.

16 **REQUEST FOR PRODUCTION NO. 75:**

17 All DOCUMENTS that summarize, describe, refer to, or constitute YOUR state or
18 federal income tax returns for the years 2003, 2004, and 2005.

19 **REQUEST FOR PRODUCTION NO. 76:**

20 All DOCUMENTS that summarize, describe, refer to, or constitute YOUR audited
21 and unaudited financial statements for the years 2003, 2004, and 2005.

22 **REQUEST FOR PRODUCTION NO. 77:**

23 DOCUMENTS sufficient to IDENTIFY YOUR tangible and intangible assets,
24 including, without limitation, real property, personal property, intellectual property, cash on hand,
25 letters of credit, savings, investments, stocks, bonds, certificates of deposit, mutual funds, and
26 equities.

27 **REQUEST FOR PRODUCTION NO. 78:**

28 DOCUMENTS sufficient to IDENTIFY YOUR debt relating to the

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1 www.connectu.com website, on a monthly basis from April 2004 to the present.

2 **REQUEST FOR PRODUCTION NO. 79:**

3 All DOCUMENTS that summarize, describe, refer to, or reflect YOUR present
4 market value.

5 Dated: October 24, 2006

6 G. HOPKINS GUY, III
7 I. NEEL CHATTERJEE
8 MONTE COOPER
9 THERESA A. SUTTON
10 Orrick, Herrington & Sutcliffe LLP



11 Theresa A. Sutton
12 Attorneys for Plaintiff
13 THE FACEBOOK, INC.

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

3 On October 24, 2006, I delivered to the below listed individuals the following documents:

4 **1. FACEBOOK'S SECOND SET OF REQUESTS FOR PRODUCTION OF**
5 **DOCUMENTS TO CONNECTU**

| | |
|---------------------------------------|---|
| 6 <input type="checkbox"/> | By transmitting via facsimile the document(s) listed above to the fax number(s) set forth below before 5:00 p.m. on October 24, 2006. |
| 7 <input checked="" type="checkbox"/> | 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 October 24, 2006. |
| 8 <input type="checkbox"/> | By causing personal delivery by WESTERN MESSENGER of the document(s) listed above to the person(s) at the address(es) set forth below. |
| 9 <input type="checkbox"/> | By personally delivering the document(s) listed above to the person(s) at the address(es) set forth below. |
| 10 <input type="checkbox"/> | By placing a true and correct copy of the document(s) in a Federal Express envelope addressed as set forth below and then sealing the envelope, affixing a pre-paid Federal Express air bill, and causing the envelope to be delivered to a Federal Express agent for delivery. |
| 11 | |
| 12 | |
| 13 | |

14 **Scott Mosko, Esq.**
15 **Lily Lim, Esq.**
16 Finnegan, Henderson, Farabow, Garrett & Dunner, LLP
17 3300 Hillview Avenue
18 Palo Alto, California 94304-1203
19 Telephone: (650) 849-6600
20 Facsimile: (650) 849-6666

21 **ATTORNEYS FOR DEFENDANTS CONNECTU, CAMERON WINKLEVOSS, TYLER**
22 **WINKLEVOSS, HOWARD WINKLEVOSS, and DIVYA NARENDRA**

23 Executed on October 24, 2006, at Menlo Park, California. I declare under penalty of
24 perjury that the foregoing is true and correct.

25 _____
26 Abby Ako Nai
27
28