

EXHIBIT D

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5
6 SUPERIOR COURT OF WASHINGTON FOR KING COUNTY
7

8 THEFACEBOOK, INC.,

9 Plaintiff,

10 v.

11 CONNECTU LLC,

12 Defendant.

No. 06-2-39146-2 SEA

SUBPOENA DUCES TECUM FOR
DOCUMENTS AND VIDEOTAPE
DEPOSITION

SUPERIOR COURT OF THE STATE OF
CALIFORNIA

COUNTY OF SANTA CLARA

Case No. 1 05 CV 047381

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16 STATE OF WASHINGTON TO:

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18 Pacific Northwest Software, Inc.
2210 - 177th Place NE
Redmond, WA 98052

19 PLEASE TAKE NOTICE that pursuant to Civil Rule 45 and Civil Rule 30(b)(6) you
20 are commanded to appear, at the request of Plaintiff in the above captioned case, pending in
21 Santa Clara County, California for a deposition at the offices of Orrick, Herrington &
22 Sutcliffe, LLP, 719 Second Avenue, Suite 900, Seattle, Washington 98104, on Tuesday,
23 January 23, 2007, commencing at 9:00 a.m. then and there to produce for oral examination
24 one or more officers, directors or managing agents, or other persons who consent to testify on
25

SUBPOENA DUCES TECUM TO PACIFIC
NORTHWEST SOFTWARE, INC. - 1

CORR CRONIN MICHELSON
BAUMGARDNER & PREECE LLP
1001 Fourth Avenue, Suite 3900
Seattle, Washington 98154-1051
Tel (206) 625-8600
Fax (206) 625-0900

ORIGINAL

1 your behalf regarding the topics identified in Exhibit A, attached hereto, which are material to
2 the establishment of the Plaintiff's case in the above-captioned cause of action, said
3 deposition to be subject to continuance or adjournment from time to time or place to place
4 until completed. This oral examination will be recorded on videotape. YOU ARE
5 FURTHER COMMANDED to produce by January 15, 2007, to the undersigned counsel the
6 documents identified in Exhibit B attached hereto.

7 **HEREIN FAIL NOT AT YOUR PERIL**

8 DATED this **DEC 28 2006** day of December, 2006.

9 **COM. CARLOS VELATEGUI**

10 **BARBARA MINER**
11 Clerk of the Superior Court of King
12 County, Washington

13
14 By: _____
15 Deputy Clerk

16 **TANJALA LAMBETH**

17 Attorney Requesting Subpoena:

18 **CORR CRONIN MICHELSON**
19 **BAUMGARDNER & PREECE LLP**

20 *Laurie Thornton*
21 Laurie Mae Thornton, WSBA 35030
22 Attorney for Plaintiff

23
24
25
SUBPOENA DUCES TECUM TO PACIFIC
NORTHWEST SOFTWARE, INC. - 2

CORR CRONIN MICHELSON
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EXHIBIT A

1. All communications and interactions with Howard Winklevoss, Tyler Winklevoss, Cameron Winklevoss, Divya Narendra, ConnectU and i2Hub.
2. Work performed for ConnectU.
3. Any work done to acquire information from the Facebook website on behalf of ConnectU.
4. The creation, development, function and operation of software necessary to function as:
 - Social Butterfly
 - Facebook importer
 - a method to collect information form or import social networking profiles
5. Remuneration from ConnectU.
6. Use of information obtained from Facebook by Pacific Northwest Software, Connect U or i2Hub.
7. Solicitation of Facebook members by ConnectU.
8. Authentication of documents produced.

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EXHIBIT B

1. All documents related to Facebook importer, social butterfly, or any other means of importing social networking profiles.
2. All documents related to "Jenn Starr," god@harvard.edu, jstarr@georgetown.edu, jstarr@amherst.edu, jstarr@dartmouth.edu.
3. All documents related to iMarc.
4. All documents related to i2Hub.
5. All documents reflecting communications with iMarc, including any emails sent or received from the imarc.com domain (*i.e.*, _____@imarc.com).
6. All documents reflecting communications with i2Hub, including any emails sent or received from the i2hub.com domain (*i.e.*, _____@i2hub.com).
7. All documents related to any attempt to access Facebook (also known as TheFacebook, thefacebook.com, and facebook.com).
8. Full source code copies of any software used in attempts to access Facebook, collect information on Facebook, or import profiles from Facebook (Facebook also is known as TheFacebook, thefacebook.com, and facebook.com).
9. All documents related to ConnectUcom, ConnectU, Connect U, HarvardConnection.com, HarvardConnection, or Harvard Connection, including emails sent to or from the connectu.com and HarvardConnection.com domains (*i.e.*, _____@connectu.com and _____@harvardconnection.com).
10. All documents related to Cameron Winklevoss, Tyler Winklevoss, Howard Winklevoss, or Divya Narendra, winklev@fas.harvard.edu; Cameron@winklevoss.com, twinklev@fas.harvard.edu, tyler@winklevoss.com, hwinklevoss@winklevoss.com, narendra@fas.harvard.edu, dknyc82@yahoo.com.
11. All bills sent to ConnectU, LLC and any record of payments made by ConnectU, LLC.

1 G. HOPKINS GUY, III (STATE BAR NO. 124811)
I. NEEL CHATTERJEE (STATE BAR NO. 173985)
2 MONTE COOPER (STATE BAR NO. 196746)
ROBERT D. NAGEL (STATE BAR NO. 211113)
3 THERESA A. SUTTON (STATE BAR NO. 211857)
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4 1000 Marsh Road
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5 Telephone: 650-614-7400
Facsimile: 650-614-7401

6 Attorneys for Plaintiff
7 THE FACEBOOK, INC.

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

10
11 THEFACEBOOK, INC.,

12 Plaintiff,

13 v.

14 CONNECTU LLC

15 Defendants.

CASE NO. 1:05-CV-047381

PROOF OF SERVICE

1 I am more than eighteen years old and not a party to this action. My place of employment
2 and business address is 75 Columbia Square, San Francisco, CA 94103.

3 On December 29, 2006, I delivered to the below listed individuals the following
4 documents:

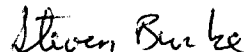
- 5 1. **SUBPOENA DUCES TECUM FOR DOCUMENTS AND VIDEO TAPE**
6 **DEPOSITION (WINSTON WILLIAMS)**
- 7 2. **SUBPOENA DUCES TECUM FOR DOCUMENTS AND VIDEO TAPE**
8 **DEPOSITION (PACIFIC NORTHWEST)**
- 9 3. **ORDER GRANTING PLAINTIFFS MOTION FOR ISSUANCE OF A SUBPOENA**
10 **TO TAKE A LOCAL DEPOSITION AND REQUIRE PRODUCTION OF**
11 **BUSINESS RECORDS IN A FOREIGN ACTION (PACIFIC NORTHWEST)**
- 12 4. **ORDER GRANTING PLAINTIFFS MOTION FOR ISSUANCE OF A SUBPOENA**
13 **TO TAKE A LOCAL DEPOSITION AND REQUIRE PRODUCTION OF**
14 **BUSINESS RECORDS IN A FOREIGN ACTION (WINSTON WILLIAMS)**

| | |
|--|--|
| 14 <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. |
| 15 <input checked="" type="checkbox"/> | By personally delivering the document(s) listed above to the person(s) at the address(es) set forth below. |

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

24 **ATTORNEYS FOR DEFENDANTS CONNECTU**

25 Executed on December 29, 2006, at Menlo Park, California. I declare under penalty of
26 perjury that the foregoing is true and correct.

27 
28 _____