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9 Attorneys for Plaintiffs
 FACEBOOK, INC. and MARK ZUCKERBERG

11 UNITED STATES DISTRICT COURT
 12 NORTHERN DISTRICT OF CALIFORNIA
 13 SAN JOSE DIVISION

15 FACEBOOK, INC. and MARK
 ZUCKERBERG,
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 Plaintiffs,
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 v.
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 19 CONNECTU, INC. (formerly known as
 CONNECTU, LLC), CAMERON
 WINKLEVOSS, TYLER WINKLEVOSS,
 20 DIVYA NARENDRA, PACIFIC
 NORTHWEST SOFTWARE, INC.,
 21 WINSTON WILLIAMS, and WAYNE
 CHANG,
 22
 Defendants.

Case No. 5:07-CV-01389-RS

DECLARATION OF THERESA A. SUTTON PURSUANT TO CIVIL LOCAL RULE 79-5(B) IN SUPPORT OF SEALING (I) PLAINTIFFS' CONFIDENTIAL MOTION; (II) DECLARATION OF THERESA A. SUTTON AND EXHIBITS IN SUPPORT THEREOF; (III) DECLARATION OF GREG ROUSSEL AND EXHIBITS IN SUPPORT THEREOF; AND (IV) DECLARATION OF MARK HOWITSON

Date: May 28, 2008
 Time: 9:30 A.M.
 Judge: Honorable Richard Seeborg

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1 I, Theresa A. Sutton, declare as follows:

2 1. I am an associate with the law firm of Orrick, Herrington & Sutcliffe LLP, counsel
3 to Plaintiffs Facebook, Inc. and Mark Zuckerberg. I am licensed to practice law in the State of
4 California. I have personal knowledge of the facts and circumstances set forth in this Declaration.
5 If called as a witness, I could and would testify competently to the matters set forth herein. I
6 make this Declaration pursuant to Civil L.R. 79-5(b).

7 2. Good cause exists for sealing Plaintiffs' Confidential Motion, the Declaration of
8 Theresa A. Sutton and exhibits in support thereof, the Declaration of Greg Roussel and exhibits in
9 support thereof, and the Declaration of Mark Howitson. Plaintiffs' Confidential Motion, and all
10 declarations and exhibits filed in support thereof, have been designated as highly confidential by
11 the parties. In light of the high profile nature of this case, and the parties' desire to keep the
12 details of this Confidential Motion private, Plaintiffs request that this Motion and its supporting
13 papers remain sealed. The exhibits, which are discussed in the motion, contain commercially
14 sensitive information that, if released to the general public, could adversely affect the parties to
15 this litigation.

16 I declare under penalty of perjury that the foregoing is true and correct to the best
17 of my knowledge.

18 Executed this 23rd day of April, 2008, at Menlo Park, California.

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20 /s/ Theresa A. Sutton /s/
Theresa A. Sutton

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CERTIFICATE OF SERVICE

I hereby certify that this document(s) filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on April 23, 2008.

Dated: April 23, 2008.

Respectfully submitted,

/s/ Theresa A. Sutton /s/
Theresa A. Sutton

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