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 FACEBOOK, INC. and MARK ZUCKERBERG

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

14 FACEBOOK, INC. and MARK
 ZUCKERBERG,
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 Plaintiffs,
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 v.
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 CONNECTU, INC. (formerly known as
 18 CONNECTU, LLC), PACIFIC
 NORTHWEST SOFTWARE, INC.,
 19 WINSTON WILLIAMS, and WAYNE
 CHANG,
 20
 Defendants.

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

DECLARATION OF THERESA A. SUTTON PURSUANT TO CIVIL LOCAL RULE 7-11 AND 79-5(B) IN SUPPORT OF PLAINTIFFS' ADMINISTRATIVE MOTION TO SEAL

(1) ADMINISTRATIVE REQUEST FOR LEAVE TO FILE REPLY TO, AND MOTION TO STRIKE PORTIONS OF, CONNECTU, INC'S OPPOSITION TO PLAINTIFFS' ADMINISTRATIVE REQUEST PURSUANT TO CIVIL L.R. 7-11;

(2) [PROPOSED] ORDER GRANTING ADMINISTRATIVE REQUEST FOR LEAVE TO FILE PURSUANT TO CIVIL L.R. 7-11;

(3) DECLARATION OF YVONNE P. GREER, AND EXHIBITS, IN SUPPORT OF PLAINTIFFS' ADMINISTRATIVE REQUEST FOR LEAVE TO FILE PURSUANT TO CIVIL L.R. 7-11

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. 7-11 and 79-5(b).

7 2. Good cause exists for sealing (1) Administrative Request for Leave to File Reply
8 to, and Motion to Strike Portions of, ConnectU, Inc's Opposition to Plaintiffs' Administrative
9 Request Pursuant to Civil L.R. 7-11; (2) [Proposed] Order Granting Administrative Request for
10 Leave to File Pursuant to Civil L.R. 7-11; and (3) Declaration of Yvonne P. Greer, and exhibits, in
11 Support of Plaintiffs' Administrative Request for Leave to file Pursuant to Civil L.R. 7-11.
12 Plaintiffs' Administrative Request for Leave to File Reply to, and Motion to Strike Portions of,
13 ConnectU, Inc's Opposition to Plaintiffs' Administrative Request Pursuant to Civil L.R. 7-11,
14 and all documents filed in support thereof, contain confidential information that is subject to the
15 protection in the Stipulated Protective Order dated January 23, 2006. In light of the high profile
16 nature of this case, and the parties' desire to keep the details of these documents private, Plaintiffs
17 request that this Plaintiffs' Administrative Request for Leave to File Reply to, and Motion to
18 Strike Portions of, ConnectU, Inc's Opposition to Plaintiffs' Administrative Request Pursuant to
19 Civil L.R. 7-11 and its supporting papers remain sealed. The subject matter discussed in these
20 papers contains commercially sensitive and confidential information that, if released to the
21 general public, will adversely affect the parties to this litigation.

22 3. This Administrative Motion is being made pursuant to Civil L.R. 79-5, which
23 requires a Court order to seal documents and does not permit sealing by stipulation.

24 I declare under penalty of perjury that the foregoing is true and correct to the best of my
25 knowledge. Executed this 16th day of May, 2008, at Menlo Park, California.

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/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 May 16, 2008.

Dated: May 16, 2008.

Respectfully submitted,

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