

1 STEVEN C. HOLTZMAN (CA BAR NO. 144177)
sholtzman@bsfllp.com
2 BOIES SCHILLER & FLEXNER LLP
1999 Harrison Street, Suite 900
3 Oakland, CA 94612
Telephone: (510) 874-1000
4 Facsimile: (510) 874-1460

5 D. MICHAEL UNDERHILL (*pro hac vice*)
munderhill@bsfllp.com
6 BOIES SCHILLER & FLEXNER LLP
5301 Wisconsin Avenue NW
7 Washington, D.C. 20015
Telephone: (202) 237-2727
8 Facsimile: (202) 237-6131

9 Attorneys for Defendant
CONNECTU, INC.

10
11 UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
12 SAN JOSE DIVISION

13 THE FACEBOOK, INC. and MARK
14 ZUCKERBERG,

15 Plaintiffs,

16 v.

17 CONNECTU, INC. (formerly known as
CONNECTU, LLC), PACIFIC NORTHWEST
18 SOFTWARE, INC., WINSTON WILLIAMS,
and WAYNE CHANG,

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

**DECLARATION OF EVAN A. PARKE
IN SUPPORT OF CONNECTU'S
ADMINISTRATIVE MOTION TO SEAL**

**(1) CONNECTU'S NOTICE AND
MOTION FOR EXPEDITED
DISCOVERY AND EVIDENTIARY
HEARING;**

**(2) DECLARATIONS OF EVAN A.
PARKE, CAMERON WINKLEVOSS,
ROBERT T. CLARKSON, AND DONNA
M. HITSCHERICH AND EXHIBITS IN
SUPPORT THEREOF;**

**(3) [PROPOSED] ORDER ON MOTION
FOR EXPEDITED DISCOVERY AND
EVIDENTIARY HEARING;**

**(4) CONNECTU'S MOTION TO
SHORTEN TIME AND DECLARATION
OF EVAN A. PARKE IN SUPPORT;
AND**

**(5) [PROPOSED] ORDER ON
CONNECTU'S MOTION TO SHORTEN
TIME.**

1 I, Evan A. Parke, declare as follows:

2 1. I am an associate with the law firm of Boies, Schiller & Flexner LLP,
3 counsel to ConnectU, Inc. I am licensed to practice law in the District of Columbia and
4 in the State of Illinois and am appearing in this case per an order of the Court granting my
5 application to appear *pro hac vice*. I have personal knowledge of the facts and
6 circumstances set forth in this Declaration. I make this Declaration pursuant to Civil L.R.
7 7-11 and 79-5(b).

8 2. Good cause exists for sealing (1) ConnectU's Notice and Motion for
9 Expedited Discovery and Evidentiary Hearing; (2) Declarations of Evan Park, Cameron
10 Winklevoss, Robert T. Clarkson, and Donna M. Hitscherich and Exhibits in Support
11 Thereof; (3) [Proposed] Order on Motion for Expedited Discovery and Evidentiary
12 Hearing; (4) ConnectU's Motion to Shorten Time and Declaration of Evan A. Parke in
13 Support Thereof; and (5) [Proposed] Order on ConnectU's Motion to Shorten Time.
14 Plaintiffs have taken the position that their Confidential Motion and all papers filed in
15 support thereof contain confidential information that is subject to the protection in the
16 Stipulated Protective Order dated January 23, 2006. The materials requested to be sealed
17 in this motion contain the same or related information that Plaintiffs contend is covered
18 by that Protective Order and/or are alleged by Plaintiff to implicate confidentiality
19 provisions found in a purported agreement that is the subject of dispute between the
20 parties.¹

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

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27 ¹ By filing this declaration, ConnectU does not waive any arguments or rights as to (i) the admissibility or
28 inadmissibility of evidence surrounding the purported agreement, (ii) the confidentiality or non-
confidentiality of information relating to the purported agreement, or (iii) the enforceability or
unenforceability of the purported agreement.

1 I declare under penalty of perjury that the foregoing is true and correct to the best
2 of my knowledge. Executed this 19th day of May, 2008.

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4 /s/ Evan A. Parke

5 Evan A. Parke
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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 19, 2008.

Dated: May 19, 2008

/s/ Steven C. Holtzman
Steven C. Holtzman