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9 Attorneys for Defendant
CONNECTU, INC.

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

14 THE FACEBOOK, INC. and MARK
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 STEVEN C.
HOLTZMAN IN SUPPORT OF
CONNECTU'S ADMINISTRATIVE
MOTION TO SEAL**

**(1) ADMINISTRATIVE REQUEST
PURSUANT TO CIVIL L.R. 7-11 TO
RESCHEDULE HEARING ON
FACEBOOK AND MARK
ZUCKERBERG'S MOTION TO
ENFORCE ALLEGED SETTLEMENT
AGREEMENT;**

**(2) DECLARATION OF STEVEN C.
HOLTZMAN IN SUPPORT
THEREOF;**

**(3) [PROPOSED] ORDER
GRANTING CONNECTU'S
ADMINISTRATIVE REQUEST
PURSUANT TO CIVIL L.R. 7-11 TO
RESCHEDULE HEARING ON
FACEBOOK AND MARK
ZUCKERBERG'S MOTION TO
ENFORCE ALLEGED
SETTLEMENT AGREEMENT; AND**

**(4) CONNECTU, INC.'s REPLY IN
SUPPORT OF MOTION TO
SHORTEN TIME FOR MOTION
FOR EXPEDITED DISCOVERY
AND EVIDENTIARY HEARING**

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1 I, Steven C. Holtzman, declare as follows:

2 1. I am a partner with the law firm of Boies, Schiller & Flexner LLP, counsel
3 to ConnectU, Inc. I am licensed to practice law in the State of California and have
4 entered my appearance in this case. I have personal knowledge of the facts and
5 circumstances set forth in this Declaration. I make this Declaration pursuant to Civil L.R.
6 7-11 and 79-5(b).

7 2. Good cause exists for sealing (1) Administrative Request Pursuant To
8 Civil L.R. 7-11 To Reschedule Hearing On Facebook And Mark Zuckerberg's Motion To
9 Enforce Alleged Settlement Agreement; (2) Declaration Of Steven C. Holtzman In
10 Support Of Connectu's Administrative Request Pursuant To Civil L.R. 7-11 To
11 Reschedule Hearing On Facebook And Mark Zuckerberg's Motion To Enforce Alleged
12 Settlement Agreement; (3) [Proposed] Order Granting Connectu's Administrative
13 Request Pursuant To Civil L.R. 7-11 To Reschedule Hearing On Facebook And Mark
14 Zuckerberg's Motion To Enforce Alleged Settlement Agreement; and (4) ConnectU,
15 Inc.'s Reply In Support Of Motion To Shorten Time For Motion For Expedited
16 Discovery And Evidentiary Hearing. Plaintiffs have taken the position that their
17 Administrative Request and all papers filed in support thereof contain confidential
18 information that is subject to the protection in the Stipulated Protective Order dated
19 January 23, 2006. The materials requested to be sealed in this motion contain the same or
20 related information that Plaintiffs contend is covered by that Protective Order and/or are
21 alleged by Plaintiff to implicate confidentiality provisions found in a purported
22 agreement that is the subject of dispute between the parties.¹

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

2 I declare under penalty of perjury that the foregoing is true and correct to the best
3 of my knowledge. Executed this 23rd day of May, 2008.

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5 /s/ Steven C. Holtzman

6 Steven C. Holtzman
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