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9 Attorneys for Defendant
CONNECTU, INC.

10 UNITED STATES DISTRICT COURT
11 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
18 CONNECTU, LLC), PACIFIC NORTHWEST
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) CONNECTU, INC.'S OPPOSITION
TO FACEBOOK, INC. AND MARK
ZUCKERBERG'S CONFIDENTIAL
MOTION TO ENFORCE
SETTLEMENT AGREEMENT;
(2) SECOND DECLARATION OF
EVAN A. PARKE;
(3) SUPPLEMENTAL
DECLARATION OF ROBERT T.
CLARKSON;
(4) DECLARATION OF ROBERT T.
CLARKSON;
(5) DECLARATION OF CAMERON
WINKLEVOSS;
(6) CORRECTED DECLARATION
OF DONNA HITSCHERICH; AND
(7) [PROPOSED] ORDER DENYING
THE CONFIDENTIAL MOTION BY
THE FACEBOOK, INC. AND MARK
ZUCKERBERG TO ENFORCE A
PURPORTED SETTLEMENT
AGREEMENT**

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) ConnectU, Inc.'s Opposition To
8 Facebook, Inc. And Mark Zuckerberg's Confidential Motion To Enforce Settlement
9 Agreement; (2) Second Declaration Of Evan A. Parke In Support Thereof; (3)
10 Supplemental Declaration Of Robert T. Clarkson In Support Thereof; (4) Declaration Of
11 Robert T. Clarkson In Support Thereof; (5) Declaration Of Cameron Winklevoss In
12 Support Thereof; (6) Corrected Declaration Of Donna Hitscherich In Support Thereof;
13 And (7) [Proposed] Order Denying The Confidential Motion By The Facebook, Inc. And
14 Mark Zuckerberg To Enforce A Purported Settlement Agreement.
15

16 Plaintiffs have taken the position that their Administrative Request and all papers
17 filed in support thereof contain confidential information that is subject to the protection in
18 the Stipulated Protective Order dated January 23, 2006. The materials requested to be
19 sealed in this motion contain the same or related information that Plaintiffs contend is
20 covered by that Protective Order and/or are alleged by Plaintiff to implicate
21 confidentiality provisions found in a purported agreement that is the subject of dispute
22 between the parties.¹
23

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

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

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6 /s/ Steven C. Holtzman

7 Steven C. Holtzman
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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 June 2, 2008.

Dated: June 2, 2008

/s/ Steven C. Holtzman
Steven C. Holtzman