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28**\*E-FILED 4/10/07\***

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

THE FACEBOOK, INC.,

NO. C 07-01389 (RS)

Plaintiff,

**ORDER GRANTING MOTION  
TO ENLARGE TIME**

v.

CONNECTU LLC, et al.,

Defendants.

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Before the Court is the motion of plaintiff The Facebook, Inc., brought under Civil Local Rule 6-3, to enlarge the time for it to file opposition to the motion to dismiss filed by defendants Pacific Northwest Software and Winston. The motion to dismiss asserts that the Court lacks personal jurisdiction over the moving defendants and is presently set for hearing on May 2, 2007.<sup>1</sup> Facebook's opposition to that motion is presently due on April 11, 2007. Facebook has filed a motion seeking leave to take expedited discovery related to the jurisdictional issues raised by the motion to dismiss. Facebook's motion is set for hearing on May 16, 2007.<sup>2</sup>

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<sup>1</sup> Defendant ConnectU has filed a motion to dismiss for failure to state a claim that is also set for hearing on May 2, 2007. Facebook has not sought to change the briefing schedule or hearing date on that motion. Accordingly, it will remain on calendar as scheduled, with Facebook's opposition due on April 11, 2007.

<sup>2</sup> Defendants' motion to dismiss was filed and served on March 21, 2007, thereby providing six weeks notice rather than the minimum of five required under the local rules. Facebook filed the present application and its motion for expedited discovery approximately two weeks later. Although

1 The Court has received and considered defendants' opposition to the motion to enlarge time,  
2 but concludes there are no exigencies that would favor hearing the motion to dismiss prior to  
3 considering whether Facebook should be permitted to take discovery on jurisdictional issues.  
4 Defendants' argument that there is no need for such discovery will be considered when Facebook's  
5 motion is heard.

6 Accordingly, good cause appearing IT IS HEREBY ORDERED THAT:

7 (1) The briefing schedule on defendants' motion to dismiss for lack of personal jurisdiction  
8 is STAYED and the hearing date for the motion is VACATED.

9 (2) The Court will set a new briefing schedule and hearing date for the motion to dismiss  
10 upon determining what, if any, discovery on jurisdictional issues will be permitted.

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15 IT IS SO ORDERED.

16 Dated: April 10, 2007



RICHARD SEEBORG  
United States Magistrate Judge

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27 Facebook perhaps could have minimized inconvenience had it acted more quickly, the delay was not  
28 so unreasonable as to require denial of this motion.

1 **THIS IS TO CERTIFY THAT NOTICE OF THIS ORDER HAS BEEN GIVEN TO:**

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7 Counsel are responsible for distributing copies of this document to co-counsel who have not  
8 registered for e-filing under the Court's CM/ECF program.

9 **Dated: 4/10/07**

**Chambers of Judge Richard Seeborg**

10 **By:** \_\_\_\_\_ /s/ BAK

**United States District Court**  
For the Northern District of California

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