

1 SEAN A. LINCOLN (State Bar No. 136387)
 salincoln@orrick.com
 2 I. NEEL CHATTERJEE (State Bar No. 173985)
 nchatterjee@orrick.com
 3 MONTE COOPER (State Bar No. 196746)
 mcooper@orrick.com
 4 THERESA A. SUTTON (State Bar No. 211857)
 tsutton@orrick.com
 5 YVONNE P. GREER (State Bar No. 214072)
 ygreer@orrick.com
 6 ORRICK, HERRINGTON & SUTCLIFFE LLP
 1000 Marsh Road
 7 Menlo Park, CA 94025
 Telephone: 650-614-7400
 8 Facsimile: 650-614-7401

9 Attorneys for Plaintiffs
 THE FACEBOOK, INC. and MARK ZUCKERBERG

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

15 THE FACEBOOK, INC. and MARK
 ZUCKERBERG,
 16
 Plaintiffs,
 17
 v.
 18
 19 CONNECTU, INC. (formerly known as
 CONNECTU, LLC), PACIFIC
 20 NORTHWEST SOFTWARE, INC.,
 WINSTON WILLIAMS, and WAYNE
 21 CHANG,
 Defendants.

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

**FACEBOOK, INC. AND MARK
 ZUCKERBERG’S OBJECTION TO
 CONNECTU, INC.’S PROPOSED
 FORM OF RELEASE**

1 Facebook, Inc. and Mark Zuckerberg (“Plaintiffs”) respectfully submit the following
2 objection to ConnectU Inc.’s Proposed Form of Release (Docket No. 478) submitted in response
3 to the Judgment Enforcing Settlement Agreement (“Judgment”) entered by the Court on July 2,
4 2008 (Docket No. 476).

5 Plaintiffs object to ConnectU’s assertion that the “[r]elease of [c]laims shall be effective
6 five (5) court days after the judgment entered on July 2, 2008, in *Facebook, Inc. and Mark*
7 *Zuckerberg v. ConnectU, Inc., et al.*, Case No. 5:07-cv-01389-JW, in the United States District
8 Court for the Northern District of California, becomes final and non-appealable.” ConnectU
9 seeks to impose a unilateral time limitation that the Court itself did not impose during the July 2,
10 hearing or in its Judgment Enforcing the Settlement Agreement. ConnectU’s proposed release, if
11 adopted, would not be in compliance with the Court’s Judgment or the Term Sheet and
12 Settlement Agreement which the Judgment specifically enforces. As noted during the July 2,
13 2008 hearing, Facebook intends that the release should be effective upon order of the Court, as
14 explicitly set forth in the Judgment.

15
16 Dated: July 11, 2008.

Respectfully submitted,

17 /s/ Yvonne P. Greer /s/

18

Yvonne P. Greer
19 Attorneys for Plaintiffs

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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 July 11, 2008.

Dated: July 11, 2008

Respectfully submitted,

/s/ Yvonne P. Greer /s/
Yvonne P. Greer