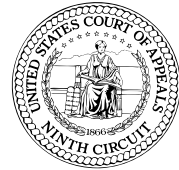


Molly C. Dwyer
Clerk of Court

Office of the Clerk
United States Court of Appeals for the Ninth Circuit
95 Seventh Street
Post Office Box 193939
San Francisco, California 94119-3939



(415) 355-8000

January 22, 2009

CA9 Docket No.: 09-15133; 09-15021 Cross Appeal
Agency Numbers: 5:07-cv-01389-JW, 5:07-cv-01389-JW
Short Title: The Facebook, Inc., et al. v. ConnectU, Inc., et al.

Dear Counsel:

A copy of your notice of appeal/petition has been received in the Clerk's office of the United States Court of Appeals for the Ninth Circuit.

The U.S. Court of Appeals docket number shown above has been assigned to this case. You must indicate this Court of Appeals docket number whenever you communicate with this court regarding this case. Please furnish this docket number immediately to the court reporter if you place an order, or have placed an order, for portions of the trial transcripts. The court reporter will need this docket number when communicating with this court.

The due dates for designating and filing the reporter's transcript, if applicable, filing the parties' briefs and otherwise perfecting the appeal have been set by the enclosed "Time Schedule Order," pursuant to applicable FRAP rules. These dates can be extended only by court order. Failure of the appellant to comply with the time schedule order will result in automatic dismissal of the appeal. 9th Cir. R. 42-1.

The following information is being provided in an attempt to answer the most frequently asked questions regarding the appellate process. Please review this information very carefully. For convenience, we use the term "Circuit Rules" instead of "Rules of the United States Court of Appeals for the Ninth Circuit" and "FRAP" instead of "Federal Rules of Appellate Procedure."

Enclosed with this letter is an appellate processing schedule along with a case processing checklist to help you monitor the progress of your case.

Appellants/Petitioners who are filing pro se should refer to the accompanying information sheet regarding the filing of informal briefs.

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

JAN 22 2009

MOLLY C. DWYER, CLERK OF COURT
U.S. COURT OF APPEALS

THE FACEBOOK, INC.; MARK
ZUCKERBERG,

Plaintiffs - Appellees Cross Appellants,

V.

CONNECTU, INC., FKA ConnectU,
LLC; PACIFIC NORTHWEST
SOFTWARE, INC.; WAYNE CHANG;
WINSTON WILLIAMS,

Defendants,

and

CAMERON WINKLEVOSS; TYLER
WINKLEVOSS; DIVYA NARENDRA,

Defendants - Appellants Cross Appellees.

No. 09-15133; 09-15021

D.C. No. 5:07-cv-01389-JW
Northern District of California,
San Jose

**TIME SCHEDULE
ORDER**

The parties shall meet the following cross appeal time schedule:

Mon., April 6, 2009

The party(s) who filed the first appeal shall file and serve the first brief on cross-appeal pursuant to FRAP 32 and 9th Cir. R. 32-1;

Tue., May 5, 2009

The party(s) who filed the second appeal shall file and serve the second brief on cross-appeal pursuant to FRAP 32 and 9th Cir. R. 32-1;

Thu., June 4, 2009

The third brief on cross-appeal shall be filed and served pursuant to FRAP 32 and 9th Cir. R. 32-1;

The optional cross appeal reply brief shall be filed and served within fourteen days of service of the third brief on cross appeal, pursuant to FRAP 32 and 9th Cir. R. 32-1.

Failure of the appellant to comply with the Time Schedule Order will result in automatic dismissal of the appeal. 9th Cir. R. 42-1

Appellants/Petitioners without representation of counsel in a prisoner appeal may have their case submitted on the briefs and record without oral argument, pursuant to FRAP 34(a). Within 10 days of the filing of the appellant's opening brief, parties may file a statement setting forth the reasons why, in the opinion of the parties, oral argument should be heard.

FOR THE COURT:

Molly C. Dwyer
Clerk of Court

Ruben Talavera
Deputy Clerk