

EXHIBIT D

FILED

UNITED STATES COURT OF APPEALS

DEC 14 2009

FOR THE NINTH CIRCUIT

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

THE FACEBOOK, INC.; et al.,

Plaintiffs,

v.

CONNECTU, INC., f.k.a. ConnectU, LLC,

Defendant - Appellee,

CAMERON WINKLEVOSS; et al.,

Defendants - Appellants,

and

PACIFIC NORTHWEST SOFTWARE,
INC.; et al.,

Defendants.

No. 09-17050

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

ORDER

Before: GOODWIN, RYMER and CLIFTON, Circuit Judges.

The court's October 9, 2009 order to show cause is discharged.

This appeal is dismissed as unnecessary because the order appealed herein was issued by the district court on a limited remand pursuant to this court's July 1, 2009 order in consolidated appeals Nos. 08-16745, 08-16849 and 08-16873.

The Clerk shall transfer all filings on the docket for appeal No. 09-17050 to consolidated appeal Nos. 08-16745, 08-16849 and 08-16873. The notice of appeal filed in this docket shall be filed as an amended notice of appeal in docket Nos. 08-16745, 08-16849 and 08-16873.

This appeal is dismissed and all pending motions are denied as moot.