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10
 11 UNITED STATES DISTRICT COURT
 12 NORTHERN DISTRICT OF CALIFORNIA
 13 SAN JOSE DIVISION

14 HOWARD
 RICE
 NEMEROVSKI
 CANADY
 FALK
 & RABKIN
 A Professional Corporation

15 THE FACEBOOK, INC., et al.,
 16 Plaintiffs,
 17 v.
 18 CONNECTU, INC., et al.,
 19 Defendants.

No. C 07-01389 JW

DECLARATION OF SEAN M.
 SELEGUE IN SUPPORT OF
 CONNECTU FOUNDERS' OBJECTION
 TO, AND MOTION TO STRIKE,
 CONNECTU'S RENEWED REQUEST
 FOR HEARING DATE RELATING TO
 PRODUCTION OF CONNECTU'S
 DOCUMENTS

Chief Magistrate Judge Maria-Elena James
 (San Francisco Division)

1 I, Sean M. SeLegue , declare as follows:

2 1. I am an attorney admitted to practice before this Court, and a shareholder and
3 director in the law firm of Howard Rice Nemerovski Canady Falk & Rabkin, A Professional
4 Corporation (“Howard Rice”), which is counsel to ConnectU Founders Cameron Winklvoss,
5 Tyler Winklevoss and Divya Narendra (the “Founders”). Unless otherwise indicated, the
6 facts stated herein are true and correct to my own personal knowledge, and if called as a
7 witness, I could and would competently testify thereto.

8 2. On December 22, 2009, I called James Towery of Hoge, Fenton, Jones & Appel,
9 Inc., counsel for ConnectU, Inc. (“ConnectU”) in this matter, to discuss the “Renewed
10 Request For Hearing Date Relating To Production of ConnectU’s Documents” that
11 ConnectU filed on December 22, 2008 (the “Renewed Request”). I asked Mr. Towery to
12 withdraw the request in light of the Court’s direction that the parties meet and confer and file
13 a joint status report once the Ninth Circuit ruled on whether the Founders’ appeal of Judge
14 Ware’s disqualification order should remain pending. I also expressed concern that
15 ConnectU’s Renewed Request could be confusing in stating that the Founders’ appeal of the
16 disqualification appeal had been dismissed without also noting that the Ninth Circuit had
17 effectively consolidated the appeal with other pending appeals. Mr. Towery said he would
18 discuss the matter with his clients and get back to me.

19 3. Shortly after the call, I emailed Mr. Towery to seek confirmation that the
20 Renewed Request would be withdrawn. Mr. Towery responded that he could not assure an
21 answer by noon. Accordingly, we proceeded to file this objection and motion to strike.
22 Attached hereto as Exhibit A is a true and correct copy of my email exchange today with Mr.
23 Towery.

24 I declare under penalty of perjury under the laws of the United States that the foregoing
25 is true and correct. Executed this 23rd day of December, 2009, in San Francisco, California.

26
27 _____/s/
SEAN M. SELEGUE

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