

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

FILED

SEP 28 2007

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

HONORABLE HOWARD R. LLOYD

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

FACEBOOK, INC., a Delaware corporation,

Plaintiff,

v.

JOHN DOES 1-10, individuals; and JOHN DOES 11-20, corporations,

Defendants.

Case No. C-07-03404 HRL

LETTER ROGATORY

FROM THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA, UNITED STATES OF AMERICA, TO THE APPROPRIATE JUDICIAL AUTHORITY IN THE PROVINCE OF ONTARIO, CANADA.

The above civil action is pending in the United States District Court for the Northern District of California. Justice cannot be done between the parties without the assistance described herein. It is necessary for, and in the interest of Justice to obtain documents and information from, Look Communications Inc, 8250 Lawson Road, Milton, Ontario, L9T 5C6, within your jurisdiction.

LETTER ROGATORY
CASE NO. C-07-03404 HRL

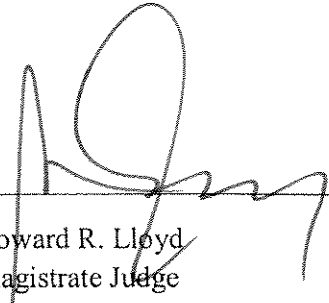
1 The civil action in this Court involves a dispute regarding individuals using Internet
2 Protocol Address ("IP Address") 207.136.118.110. These individuals are alleged to be
3 responsible for, or have first hand knowledge of, computer fraud and abuse perpetrated against
4 Facebook, Inc. ("Facebook"). Facebook alleges that the individuals using this IP Address gained
5 unauthorized access to its Web site and accessed more than 200,000 separate proprietary
6 Facebook Web pages and gathered private and proprietary information about Facebook users
7 such as usernames, passwords, network affiliations, and email addresses. Facebook identified the
8 server that was used to access its site for this unauthorized access, and obtained a court order
9 authorizing it to obtain relevant information from the responsible Internet Service Provider. The
10 logs obtained from that server indicate that the IP address referenced above was used to send
11 commands through that server to carry out the above referenced unauthorized activities on
12 Facebook's Web sites. Look Communications Inc. is the Internet Service Provider that services
13 IP Address 207.136.118.110. Based on its correspondence with Look Communications,
14 Facebook understands that Look possesses records, such as server logs, billing histories, and
15 contact information for the users of IP Address 207.136.118.110 that is necessary in order to
16 identify the proper defendants in this case. Facebook sent a letter to Look Communications
17 asking that it preserve any and all information regarding this IP Address, including, but not
18 limited to, the identity of the individuals using it and/or paying for its use. Look Communications
19 responded to Facebook that it indeed had the information requested, but could not disclose it
20 without a valid Canadian court order or Canadian law enforcement request. Facebook anticipates
21 that this information will be used as evidence at the trial of this action.

22 THEREFORE, we request that, in the interest of Justice, you cause Look Communications
23 Inc. by your proper and usual process to produce the documents and things identified in Exhibit A
24 hereto.

25 WE SHALL be ready and willing to do the same for you in a similar case when requested.
26
27
28

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

WITNESS the Honorable Judge Howard R. Lloyd, Magistrate as Judge of the United States District Court for the Northern District of California on September 28, 2007.

By 
Howard R. Lloyd
Magistrate Judge

60406-0014/LEGAL13565017.1