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 11 FACEBOOK, INC.

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

16 FACEBOOK, INC.,

17 Plaintiff,

18 v.

19 STUDIVZ LTD., HOLTZBRINCK  
 NETWORKS GmbH, HOLTZBRINCK  
 20 VENTURES GmbH AND DOES 1-25,

21 Defendants.

Case No. 5:08-cv-03468 JF

**[PROPOSED] ORDER GRANTING  
 FACEBOOK INC.'S MOTION TO  
 STRIKE DECLARATION OF  
 STEPHEN S. SMITH**

Date: March 24, 2009  
 Time: 10:00 a.m.  
 Room: Courtroom 2, 5th Floor  
 Judge: Honorable Magistrate Judge  
 Howard R. Lloyd, for  
 Discovery Purposes

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The Court, having considered Facebook Inc.’s (“Facebook”) Motion to Strike the Declaration of Stephen S. Smith In Support of Defendants’ Motions in Opposition to Facebook’s Motion to Compel and For Sanctions, the declarations filed in support thereof, and the records on file in this action, hereby orders as follows:

IT IS HEREBY ORDERED that Facebook’s request to strike the February 10, 2009 Declaration of Stephen S. Smith In Support of Defendants’ Oppositions to Facebook’s Motions To Compel Discovery and For Sanctions from the record is GRANTED.

IT IS SO ORDERED.

Dated:

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Honorable Howard R. Lloyd  
United States Magistrate Judge

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