

1 STEPHEN S. SMITH (SBN 166539)
 2 SSmith@GreenbergGlusker.com
 3 WILLIAM M. WALKER (SBN 145559)
 4 WWalker@GreenbergGlusker.com
 5 AARON J. MOSS (SBN 190625)
 6 AMoss@GreenbergGlusker.com
 7 GREENBERG GLUSKER FIELDS
 8 CLAMAN & MACHTINGER LLP
 9 1900 Avenue of the Stars, 21st Floor
 10 Los Angeles, California 90067-4590
 11 Telephone: 310.553.3610
 12 Fax: 310.553.0687

13 Attorneys for Defendants studiVZ Ltd.,
 14 Holtzbrinck Networks GmbH, and
 15 Holtzbrinck Ventures GmbH

16 UNITED STATES DISTRICT COURT
 17 NORTHERN DISTRICT OF CALIFORNIA
 18 SAN JOSE DIVISION

19 GREENBERG GLUSKER FIELDS CLAMAN
 20 & MACHTINGER LLP
 21 1900 Avenue of the Stars, 21st Floor
 22 Los Angeles, California 90067-4590

23 FACEBOOK, INC.,
 24
 25 Plaintiff,
 26
 27 v.
 28 STUDIVZ LTD., HOLTZBRINCK
 NETWORKS GmbH,
 HOLTZBRINCK VENTURES
 GmbH, and DOES 1-25,
 Defendants.

Case No. 5:08-CV-03468 JF
 Assigned To: Hon. Jeremy Fogel
**EVIDENTIARY OBJECTIONS TO
 DECLARATION OF JULIO C.
 AVALOS**
 Date: March 3, 2009
 Time: 10:00 a.m.
 Dept./Place: Courtroom 2, 5th Floor
 Hon. Howard R. Lloyd
 Complaint Filed: July 18, 2008

1 Defendants StudiVZ Ltd., Holtzbrinck Networks GmbH, and Holtzbrinck
2 Ventures GmbH (collectively, “Defendants”) hereby object to the January 27, 2009
3 Declaration of Julio C. Avalos (the “Declaration”) submitted by plaintiff Facebook,
4 Inc. (“Facebook”) in support of Facebook’s Motion to Compel Defendants to Fully
5 Respond to Interrogatories and to Produce Documents and Things Pursuant to Civil
6 L.R. 7-1 and 37-1, as follows:

7
8 1. Defendants object to the entirety of Paragraph 5 of the Declaration,
9 including the attached Exhibit 1, on the grounds of lack of proper authentication,
10 lack of personal knowledge by either Mr. Avalos or the author of the article he
11 references, and on the grounds that it constitutes inadmissible hearsay.

12 2. Defendants object to the entirety of Paragraph 6 of the Declaration,
13 including the attached Exhibit 2, on the grounds of lack of proper authentication,
14 lack of personal knowledge by either Mr. Avalos or the author of the webpage he
15 references, and on the grounds that it constitutes inadmissible hearsay.

16 3. Defendants object to the entirety of Paragraph 7 of the Declaration,
17 including the attached Exhibit 3, on the grounds of lack of personal knowledge,
18 lack of foundation, lack of proper authentication, and on the grounds that it
19 constitutes inadmissible hearsay.

20 4. Defendants object to the entirety of Paragraph 8 of the Declaration,
21 including the attached Exhibit 4, on the grounds of lack of proper authentication,
22 lack of personal knowledge by either Mr. Avalos or the author of the article he
23 references, and on the grounds that it constitutes inadmissible hearsay.

24 5. Defendants object to the entirety of Paragraph 13 of the Declaration,
25 including the attached Exhibit 8, on the grounds of lack of foundation and lack of
26 proper authentication.

27 6. Defendants object to the entirety of Paragraph 39 of the Declaration,
28 including the attached Exhibit 11, on the grounds of lack of foundation and lack of

