EXHIBIT A

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UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA SAN JOSE DIVISION

FACEBOOK, INC.,

CASE NO. 5:08-CV-03468 JF

Plaintiff,

v.

STUDIVZ LTD., HOLTZBRINK NETWORKS GMBH, HOLTZBRINK VENTURES GMBH and DOES 1-25,

Defendants.

The above-styled cause came on for hearing on December 16, 2008 at 10:31 a.m. before The Honorable Howard R. Lloyd, United States Magistrate Judge, Courtroom 2, Fifth Floor.

APPEARANCES:

ON BEHALF OF PLAINTIFF:

ORRICK, HERRINGTON & SUTCLIFFE, LLP By Annette L. Hurst 1000 Marsh Road Menlo Park, CA 94043

ON BEHALF OF DEFENDANTS:

GREENBERG GLUSKER FIELDS CLAMAN & MACHTINGER, LLP By Stephen S. Smith 1900 Avenue of the Stars Suite 2100 Los Angeles, CA 90067

Hearing 12/16/2008

Page 2 THE CLERK: Let's see, Facebook and StudiVZ. 1 I probably didn't pronounce that right. Facebook 2 3 against a bunch of German entities. 4 MS. HURST: Good morning, Your Honor, Annette Hurst from Orrick for plaintiff Facebook. 5 MR. SMITH: Good morning, Your Honor, Stephen 6 Smith, Greenberg Glusker on behalf of StudiVZ, 7 8 Holtzbrinck Ventures and Holtzbrinck Networks. THE COURT: Hello, counsel. The defendants 9 move for a protective order. They want to stay 10 discovery that's unrelated to personal jurisdiction 11 issues raised in their motions to dismiss until those 12 13 motions are resolved, and they want to preclude Facebook from using in the German action any discovery 14 obtained in the instant lawsuit. And we'll talk about 15 the first one first. 16 As I understand it, the defendants agree that 17 18 if, in the course of investigating personal 19 jurisdiction, that discovery would also go to the merits, that that wouldn't be a problem. 2.0 MR. SMITH: That's correct, Your Honor. 21 THE COURT: Okay. So, your objection is to 22 discovery which is solely, you say, directed at merits 23

at this time?

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1	STATE OF COLORADO)
2) ss. CERTIFICATE
3	COUNTY OF DENVER)
4	
5	I, Christopher Boone, Certified Electronic
6	Court Reporter and Notary Public within and for the
7	State of Colorado, certify that the foregoing is a
8	correct transcription from the digital recording of
9	the proceedings in the above-entitled matter.
10	
1	I further certify that I am neither counsel
12	for, related to, nor employed by any of the parties
13	to the action in which this hearing was taken, and
L 4	further that I am not financially or otherwise
L5	interested in the outcome of the action.
16	
L7	In witness whereof, I have affixed my
L8	signature and seal this 11th day of January, 2009.
L 9	
20	
	My commission expires August 16, 2010.
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24 Christopher Boone,

25 AAERT Certified Electronic Court Reporter