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

18 FACEBOOK, INC.,

19 Plaintiff,

20 v.

21 STUDIVZ LTD., HOLTZBRINCK
 22 NETWORKS GmbH, HOLTZBRINCK
 23 VENTURES GmbH, and DOES 1-25,

24 Defendants.

Case No. 5:08-CV-03468 JF
 Assigned To: Hon. Jeremy Fogel

**OBJECTIONS TO DECLARATION OF
 ANNETTE HURST IN SUPPORT OF
 MEMORANDUM IN OPPOSITION TO
 DEFENDANTS' MOTION FOR
 ADMINISTRATIVE RELIEF**

Complaint Filed: July 18, 2008

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

1 Defendants StudiVZ Ltd., Holtzbrinck Networks GmbH, and Holtzbrinck Ventures GmbH
2 (collectively, “Defendants”) hereby object to the March 27, 2009 Declaration of Annette Hurst
3 (the “Declaration”) submitted by plaintiff Facebook, Inc. (“Facebook”) in support of Facebook’s
4 Opposition to StudiVZ’s Motion for Administrative Relief, on the following grounds:

5 1. It is untimely. The opposition to the Motion for Administrative Relief was due on
6 March 24, 2009. Ms. Hurst is Facebook’s counsel. There is no showing of grounds for
7 submitting her declaration late;

8 2. It is duplicative of other evidence already submitted in the case, including
9 specifically the Declaration of Julio Avalos filed in support of Facebook’s Motion for Sanctions
10 (Docket No. 78) and Exhibit A to the Declaration of Julio Avalos filed in support of Facebook’s
11 January 22, 2009 Motion to Enlarge Time (which is the Reporter’s Transcript of the December
12 16, 2008 hearing before Magistrate Judge Lloyd) (Docket No. 78-2); and

13 3. In paragraph 5 of her Declaration, Ms. Hurst purports to characterize the
14 Reporter’s Transcript of what was said during the December 16, 2008 hearing of Defendants’
15 Motion for Protective Order. That Reporter’s Transcript speaks for itself and is the best evidence
16 of what was said. Defendants would simply respectfully request the Court to read it rather than
17 rely on counsel’s statements about what was said.

18
19 DATED: March 27, 2008

GREENBERG GLUSKER FIELDS CLAMAN &
MACHTINGER LLP

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22 By: /s/ Stephen S. Smith
STEPHEN S. SMITH
23 Attorneys for Defendants studiVZ Ltd.,
24 Holtzbrinck Networks GmbH, and Holtzbrinck
Ventures GmbH
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