

1 sales in California, has had no California income and has not paid any California
2 income taxes.

3 8. I understand that in its Complaint against VGH, Facebook alleges that
4 VGH owns StudiVZ, the social networking website that Facebook alleges infringes
5 its own social networking site, Facebook.com. Complaint, ¶ 4. This allegation is
6 not true. VGH has no ownership interest whatsoever, whether direct or indirect, in
7 StudiVZ. None of VGH's officers or directors serve as a company director of
8 StudiVZ, or vice-versa.

9 9. I also understand that Facebook claims that VGH "maintains
10 significant, continuous and systematic contact with the United States and the State
11 of California" by virtue of "its operation of its subsidiary Holtzbrinck Publishing
12 Holdings Limited Partnership, headquartered at 175 Fifth Avenue, New York, NY
13 10010." Complaint, ¶ 4. This is also not true. VGH does not own Holtzbrinck
14 Publishing Holdings Limited Partnership and merely has an ownership interest in
15 another entity that has an approximately .0046% ownership interest in Holtzbrinck
16 Publishing Holding, LP (one out of 21,646 shares).

17
18 I declare under penalty of perjury under the laws of the United States of
19 America that the foregoing is true and correct.

20 Doc. 16 Att. 1

21 Executed on this 9 th day of September, 2008, at Stuttgart, Germany

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23 
24 _____
25 /Dr. Jochen Gutbrod
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