

Stephen S. Smith
D: 310.785.6895
F: 310.201.2350
SSmith@GreenbergGlusker.com
File Number: 37106-000.02

August 25, 2008

Via E-Mail (nchatterjee@orrick.com)
and Regular U.S. Mail

I. Neel Chatterjee, Esq.
Orrick, Herrington & Sutcliffe LLP
1000 Marsh Road
Menlo Park, CA 94025-1015

Re: Facebook, Inc. v. StudiVZ, Ltd., et al.
USDC Northern District, Case No. 5:08-cv-03468 JF

Dear Mr. Chatterjee:

I am writing in response to your letter of July 24, 2008, addressed to Dr. Anka Reich, in which you requested that the defendants sign a waiver of service of process pursuant to Federal Rule of Civil Procedure 4(d), copies of which you provided with your letter. I have received authorization from my client to sign such a waiver on behalf of the defendants, and have done so, two copies of which I have enclosed with this letter (revised just to include my signature block). Please arrange to have them filed with the Court, as you represented you would in your letter.

If you have any questions regarding the enclosed, please do not hesitate to contact me.

Very truly yours,



Stephen S. Smith

SSS:nll
Enclosures (2)

1 GARY E. WEISS (STATE BAR NO. 122962)
gweiss@orrick.com
2 I. NEEL CHATTERJEE (STATE BAR NO. 173985)
nchatterjee@orrick.com
3 JULIO C. AVALOS (STATE BAR NO. 255350)
javalos@orrick.com
4 ORRICK, HERRINGTON & SUTCLIFFE LLP
1000 Marsh Road
5 Menlo Park, CA 94025
Telephone: +1-650-614-7400
6 Facsimile: +650-614-7401

7 WARRINGTON S. PARKER (STATE BAR NO. 148003)
wparker@orrick.com
8 ORRICK, HERRINGTON & SUTCLIFFE LLP
The Orrick Building
9 405 Howard Street
San Francisco, CA 94105-2669
10 Telephone: +1-415-773-5700
Facsimile: +415-773-5759

11 Attorneys for Plaintiff
12 FACEBOOK, INC.

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

17 FACEBOOK, INC.,
18 Plaintiff,
19 v.
20 STUDIVZ LTD., VERLAGSGRUPPE
21 GEORG VON HOLTZBRINCK GmBH,
HOLTZBRINCK NETWORKS GmBH,
22 HOLTZBRINCK VENTURES GmBH,
and DOES 1-25,
23 Defendants.
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Case No. 5:08-cv-03468 JF

**WAIVER OF SERVICE OF THE
SUMMONS**

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WAIVER OF THE SERVICE OF SUMMONS

TO FACEBOOK, INC. AND THEIR ATTORNEY OF RECORD:

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.


I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.

I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

I also understand that I, or the entity I represent, must file and serve an answer or a motion under Rule 12 within 60 days from July 24, 2008, the date when this request was sent (or 90 days if it was sent outside the United States). If I fail to do so, a default judgment will be entered against me or the entity I represent.

DATED: August 25, 2008

GREENBERG GLUSKER FIELDS CLAMAN
& MACHTINGER LLP

By: 
STEPHEN S. SMITH
Attorney for Defendants STUDIVZ LTD.,
VERLAGSGRUPPE GEORG VON
HOLTZBRINCK GmBH, HOLTZBRINCK
NETWORKS GmBH, HOLTZBRINCK
VENTURES GmBH

