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

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

17 FACEBOOK, INC.,

18 Plaintiff,

19 v.

20 STUDIVZ LTD.,
 21 VERLAGSGRUPPE GEORG VON
 22 HOLTZBRINCK GmbH,
 23 HOLTZBRINCK NETWORKS
 24 GmbH, HOLTZBRINCK
 25 VENTURES GmbH, and DOES 1-
 26 25,

27 Defendant.

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

**DECLARATION OF WILLIAM M.
 WALKER IN SUPPORT OF
 OPPOSITION TO FACEBOOK,
 INC.'S MOTION TO CHANGE
 TIME UNDER CIVIL L.R. 6-3**

[Memorandum of Points and Authorities,
 and Declaration of Stephen S. Smith
 concurrently filed]

Complaint Filed: July 18, 2008

DECLARATION OF WILLIAM M. WALKER

I, William M. Walker declare:

1. I am an attorney at law duly licensed to practice in the State of California and before the United States District Court for the Northern District of California, and am a partner at Greenberg Glusker Fields Claman & Machtinger LLP, counsel of record for defendant Verlagsgruppe Georg von Holtzbrinck GmbH (“VGH”). I have personal knowledge of the facts set forth herein and, if called as a witness, could and would testify competently thereto under oath.

2. I graduated from the University of California, Davis in 1985 with a bachelor of arts degree in German literature. I speak and read German fluently. Since graduating from law school in 1988, I have had extensive experience advising German clients doing business in the U.S. and U.S. clients doing business in Germany, frequently in German.

3. Attached hereto as “Exhibit H” is, on information and belief, a true and correct copy of a June 8, 2006 demand letter from Lovells (a large U.K.-based law firm with offices in Germany) representing Facebook, Inc. to studiVZ Ltd. in Berlin. Because of the short time frame available to oppose Facebook’s motion for shortened time, it was not possible to obtain, by the filing deadline for this opposition, a certified translation of the letter attached hereto as Exhibit H. Paraphrasing the letter attached hereto as Exhibit H, the letter states, among other things, that the letter concerns “the design of your websites,” states that Facebook takes action against any kind of imitation of Facebook’s website, and claims that Facebook had recently become aware that studiVZ offers on its website an “identical” search engine. The letter claims that Facebook’s website is protected by

1 German copyright laws and lists sections of the German copyright laws that
2 studiVZ allegedly violated. Attached to the letter is a proposed declaration of
3 obligation and injunction, which Facebook’s letter demanded studiVZ sign by noon
4 on June 15, 2006, stating that studiVZ will shut down studiVZ’s websites, destroy
5 any copies or ability to duplicate them, and pay a EUR 5,100 liquidated damage
6 sum to Facebook for each violation. On information and belief, studiVZ never
7 signed that document. In light of this letter, any arguments about urgency by
8 Facebook seem disingenuous.

9
10 4. The concurrently filed document entitled “Declaration of Stephen S.
11 Smith in Support of Opposition to Facebook, Inc.’s Motion to Change Time Under
12 Civil L.R. 6-3” (hereinafter, the “Smith Declaration”) was signed with the typed
13 signature “/s Stephen S. Smith.” I have confirmed that the content of the Smith
14 Declaration is acceptable to Mr. Smith, and that Mr. Smith has concurred to the
15 filing of the Smith Declaration.

16
17 I declare under penalty of perjury under the laws of the State of California
18 and the United States that the foregoing is true and correct, and that this declaration
19 was executed in Los Angeles, California on September 12, 2008.

20
21
22 _____ /s William M. Walker

23 William M. Walker
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