

EXHIBIT J

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September 24, 2008

Via E-mail and U.S. Mail

Warrington S. Parker III, Esq.
Orrick, Herrington & Sutcliffe LLP
1000 Marsh Road
Menlo Park, CA 94025-1015

Re: Facebook, Inc. v. StudiVZ

Dear Mr. Parker:

I write in response to your September 19, 2008 letter asking that I stipulate to the Court holding a status conference in this matter in the next two weeks. Defendants do not think a status conference is appropriate at this point.

Any status conference in the next two weeks would be premature because three out of the four defendants have not even responded to the complaint yet (their responses are not due, pursuant to the terms of the service waivers that Facebook drafted and that I signed on August 25, 2008, until October 22, 2008).

The fourth defendant, Verlagsgruppe Georg von Holtzbrinck GmbH ("VGH"), has moved to dismiss for lack of personal jurisdiction, and that motion is still pending. There is no need for a status conference as to VGH. Facebook has made no *prima facie* showing of jurisdiction as to VGH and, as requested in my earlier correspondence and in one of our earlier calls, Facebook should simply dismiss VGH from the case without prejudice. I once again urge you/Facebook to do so.

In my September 18, 2008 letter to you, I suggested a reasonable way to handle matters relating to jurisdictional discovery, which Facebook rejected. I urge you to reconsider that proposal.

Very truly yours,

A handwritten signature in black ink, appearing to read "SSS" followed by a stylized flourish.

Stephen S. Smith

SSS:nll