

1 STEPHEN S. SMITH (SBN 166539)
 2 SSmith@GreenbergGlusker.com
 3 WILLIAM M. WALKER (SBN 145559)
 4 WWalker@GreenbergGlusker.com
 5 AARON J. MOSS (SBN 190625)
 6 AMoss@GreenbergGlusker.com
 7 GREENBERG GLUSKER FIELDS
 8 CLAMAN & MACHTINGER LLP
 9 1900 Avenue of the Stars, 21st Floor
 10 Los Angeles, California 90067-4590
 11 Telephone: 310.553.3610
 12 Fax: 310.553.0687

13 Attorneys for Defendants studiVZ Ltd.,
 14 Holtzbrinck Networks GmbH, and
 15 Holtzbrinck Ventures GmbH

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

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

23 FACEBOOK, INC.,
 24 Plaintiff,
 25 v.
 26 STUDIVZ LTD., HOLTZBRINCK
 27 NETWORKS GmbH,
 28 HOLTZBRINCK VENTURES
 GmbH, and DOES 1-25,
 Defendants.

Case No. 5:08-CV-03468 JF

Assigned To: Hon. Jeremy Fogel

**[PROPOSED] ORDER GRANTING
 MOTION OF DEFENDANTS FOR
 PROTECTIVE ORDER (1) STAYING
 DISCOVERY NOT RELATED TO
 DISPUTED MATERIAL ISSUES
 RAISED IN DEFENDANTS' MOTIONS
 TO DISMISS FOR LACK OF
 PERSONAL JURISDICTION AND
 FORUM NON CONVENIENS AND (2)
 PREVENTING DISCOVERY
 PRODUCED IN THIS ACTION FROM
 BEING USED IN FOREIGN COURTS**

Date: December 9, 2008
 Time: 10:00 a.m.
 Dept./Place: Courtroom 2, 5th Floor
 Hon. Howard R. Lloyd

Complaint Filed: July 18, 2008

1 The Motion of defendants StudiVZ Ltd., Holtzbrinck Networks GmbH, and
2 Holtzbrinck Ventures GmbH (“Defendants”) for an order (1) staying all discovery
3 that does not relate to disputed material issues raised in Defendants’ pending
4 motions to dismiss for lack of personal jurisdiction and *forum non conveniens* (the
5 “Motions to Dismiss”), until the Motions to Dismiss are ruled upon by this Court,
6 and (2) that any and all discovery produced in this case shall only be used in this
7 case and in no other (the “Motion for Protective Order”) was heard at 10:00 a.m. on
8 December 9, 2008 in Courtroom 2 of the above-entitled Court, the Honorable
9 Howard R. Lloyd, United States Magistrate Judge, presiding.

10 Having considered the files in this case, and the papers and arguments of the
11 parties and their counsel, it is ORDERED that the Motion for Protective Order is
12 GRANTED in its entirety. It would be unduly burdensome, oppressive, and
13 expensive to require Defendants to respond to, and the Court to be involved in as
14 needed, discovery that is not related to disputed material issues in the Motions to
15 Dismiss, including but not limited to merits discovery, while the Motions to Dismiss
16 are pending, and that it is not proper to use this lawsuit or this Court as vehicles to
17 obtain discovery for use in a foreign case.

18 Accordingly, all discovery that does not relate to disputed material issues raised
19 in the Motions to Dismiss is hereby stayed until this Court rules on the Motions to
20 Dismiss, and any and all discovery produced in this case, including but not limited to
21 documents, interrogatory responses, responses to requests for admission, and
22 deposition transcripts, may be used in this case but not in foreign courts.

23
24 IT IS SO ORDERED.

25
26 DATED: _____, 2008

The Honorable Howard R. Lloyd
United States Magistrate Judge