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 15 Holtzbrinck Ventures GmbH

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

19 FACEBOOK, INC.,

20 Plaintiff,

21 v.

22 STUDIVZ LTD., HOLTZBRINCK
 23 NETWORKS GmbH,
 24 HOLTZBRINCK VENTURES
 25 GmbH, and DOES 1-25,

26 Defendants.

Case No. 5:08-CV-03468 JF

Assigned To: Hon. Jeremy Fogel

**[PROPOSED] ORDER GRANTING
 DEFENDANTS' MOTION FOR
 SANCTIONS AGAINST PLAINTIFF
 AND ITS COUNSEL DUE TO
 FACEBOOK'S CANCELLATION OF
 DEPOSITIONS *AFTER* DEFENSE
 COUNSEL HAD ALREADY FLOWN
 TO GERMANY**

Date: March 3, 2009
 Time: 10:00 a.m.
 Dept./Place: Courtroom 2, 5th Floor
 Hon. Howard R. Lloyd

Complaint Filed: July 18, 2008

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

1 The Motion of defendants StudiVZ Ltd., Holtzbrinck Networks GmbH, and
2 Holtzbrinck Ventures GmbH (“Defendants”) for an order for sanctions against
3 plaintiff Facebook, Inc. (“Facebook”) and its counsel Orrick, Herrington &
4 Sutcliffe LLP (“Orrick”) reimbursing Defendants for the fees and costs associated
5 with defense counsel’s travel to Germany to attend the depositions of Martin Weber
6 and Michael Brehm, which were noticed by Facebook to take place on January 12
7 and 13, 2009, which Facebook’s counsel then canceled *after* defense counsel had
8 already traveled to Germany (the “Motion”), was heard at 10:00 a.m. on March 3,
9 2009 in Courtroom 2 of the above-entitled Court, the Honorable Howard R. Lloyd,
10 United States Magistrate Judge, presiding.

11
12 Having considered the files in this case, and the papers and arguments of the
13 parties and their counsel, and for good cause shown, it is ORDERED that the
14 Motion is GRANTED. Accordingly, Facebook and Orrick are hereby ORDERED
15 to pay a monetary sanction to Defendants in the amount of \$ _____ in
16 connection with their wrongful cancellation of the depositions.

17
18 IT IS SO ORDERED.

19
20 DATED: _____, 2009

21 _____
22 The Honorable Howard R. Lloyd
23 United States Magistrate Judge
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