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11	Attorneys for Plaintiff FACEBOOK, INC.			
12	UNITED STATES DISTRICT COURT			
13	NORTHERN DISTRICT OF CALIFORNIA			
14	SAN JOSE DIVISION			
15				
16	FACEBOOK, INC.,	Case No.	5:08-cv-03468 JF	
17	Plaintiff,	IPROPO	SED] ORDER	
18	v.	SANCTI	ONING DEFENDANTS FOR TERY ABUSES	
19	STUDIVZ LTD., HOTLZBRINCK NETWORKS GmBH, HOLTZBRINCK			
20	VENTURES GmBH, and DOES 1-25,	Date: Time:	March 3, 2009 10:00 a.m.	
21	Defendants.	Room:	Courtroom 2, 5th Floor	
22		Judge:	Honorable Magistrate Judge Howard R. Lloyd, for	
23			Discovery Purposes	
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		[PRO	DPOSED] ORDER SANCTIONING DEFENDANTS FOR DISCOVERY ABUSES Case No.: 5:08-cv-03468	

1	The Court, having considered Facebook, Inc.'s ("Facebook") Motion For		
2	Sanctions Against Defendants StudiVZ Ltd., Holtzbrinck Ventures GmbH and Holtzbrinck		
3	Networks GmbH for Discovery Abuses, the declarations filed in support thereof, and the records		
4	on file in this action, hereby orders as follows:		
5	IT IS HEREBY ORDERED that Defendants compensate Facebook for costs and		
6	attorneys' fees incurred in attending and participating in meet and confer conferences that took		
7	place on December 23, 2008, December 30, 2008 and January 6, 2009 as well as costs and		
8	attorneys' fees incurred in the preparation of Facebook's Motion to Compel Discovery Responses		
9	filed January 27, 2009. Facebook shall file its evidence in support of the amount no later than		
10	·		
11	IT IS FURTHER ORDERED that a negative inference be drawn regarding		
12	discovery withheld by Defendants. Facebook is to be placed in the position in which it would		
13	have been had that discovery been entirely favorable to it.		
14	IT IS FURTHER ORDERED that a Special Master be assigned to all future		
15	discovery events, cost to be borne by Defendants, including meet and confer conferences and any		
16	depositions of Defendants' witnesses.		
17	IT IS SO ORDERED.		
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19	Dated:		
20	Honorable Howard R. Lloyd United States Magistrate Judge		
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	[PROPOSED] ORDER SANCTIONING DEFENDANTS - 1 - FOR DISCOVERY ABUSES CASE NO.: 5:08-cv-03468		

1	CERTIFICATE OF SERVICE		
2	I hereby certify that this document(s) filed through the ECF system will be sent		
3	electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on January 27, 2009.		
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5	Dated: January 27, 2009.	Respectfully submitted,	
6	•	/s/ Thomas J. Gray	
7		Thomas J. Gray	
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		- 2 - FACEBOOK'S MOTION FOR EXPEDITED DISCOVERY RE: PERSONAL JURISDICTION CASE NO.: 5:08-CV-03468	