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and Holtzbrinck Ventures GmbH  
9

10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12 SAN JOSE DIVISION  
13

14 FACEBOOK, INC.,

15 Plaintiff,

16 v.

17 STUDIVZ LTD., HOLTZBRINCK  
NETWORKS GmbH,  
18 HOLTZBRINCK VENTURES  
GmbH, and DOES 1-25,

19 Defendants.  
20

Case No. 5:08-CV-03468 JF

Assigned To: Honorable Jeremy Fogel

**STUDIVZ LTD.'S SUPPLEMENTAL  
RESPONSES TO FACEBOOK,  
INC.'S FIRST SET OF REQUESTS  
FOR PRODUCTION**

Complaint Filed: July 18, 2008

21  
22  
23 PROPOUNDING PARTY: FACEBOOK, INC.

24 RESPONDING PARTY: STUDIVZ LTD.

25 SET NUMBER: ONE  
26  
27  
28

1 I. GENERAL OBJECTIONS

2  
3 A. StudiVZ objects to the Requests for Production (“Requests”) on the  
4 grounds that Facebook seeks the right to use evidence obtained in this action in the  
5 action pending between Facebook and StudiVZ in Germany (the “German  
6 Action”). It is improper under established law to use this lawsuit or this Court as  
7 vehicles to obtain discovery for use in a foreign case when that evidence is located  
8 outside the United States, as it is here. It is also inconsistent with the District  
9 Court’s form protective order. StudiVZ will only produce evidence pursuant to a  
10 protective order specifying that the evidence is not specifically authorized to be  
11 used in any other court.  
12

13 B. StudiVZ objects to the Requests on the grounds that they seek  
14 discovery that is not reasonably related to pertinent disputed personal jurisdictional  
15 or *forum non conveniens* issues, which is improper given that there are currently  
16 pending motions to dismiss all defendants for lack of personal jurisdiction and  
17 *forum non conveniens*.  
18

19 C. StudiVZ objects to the Requests on the grounds that they would  
20 require violation of the privacy rights of its employees and its customers as  
21 embodied in German and European Union law, including but not limited to the  
22 German Constitution, the German Federal Data Protection Act (BDSG), the  
23 German Telecommunications Act (TKG), the German Tele Services Data  
24 Protection Act (TDDSG), the European Community Data Protection Directive  
25 95/46/EC, Data Protection Directive for Electronic Communication 2002/58/ED  
26 and the E-Commerce Directive 2000/31/EC.  
27  
28

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1 D. StudiVZ objects to the Requests on the grounds that the definition of  
2 “STUDIVZ,” “YOU,” and “YOUR” includes StudiVZ’s “directors, officers,  
3 parents, subsidiaries, predecessors, successors, assigns, agents, servants,  
4 employees, investigators, attorneys, AND ALL other persons and entities  
5 representing it acting on its behalf, OR purporting to act on its behalf, including  
6 without limitation, Ehasan Dariani and Dennis Bemman.” This is improperly  
7 overbroad generally and is particularly so given that the discovery purports to relate  
8 to personal jurisdiction, since in establishing jurisdiction discovery must be directed  
9 at the party only.

10  
11 E. StudiVZ objects to the Requests on the grounds that their gross  
12 overbreadth would require StudiVZ to incur an unreasonable amount of expense  
13 and time to search for and then produce the requested documents.

14  
15 F. StudiVZ objects to the Requests to the extent they seek documents that  
16 are protected from disclosure by the attorney-client privilege, the attorney work  
17 product doctrine, the right of privacy and/or any other applicable privileges,  
18 doctrines, or immunity from disclosure.

19  
20 G. StudiVZ further objects to the Requests to the extent they attempt or  
21 purport to impose obligations on StudiVZ beyond those set forth in the Federal  
22 Rules of Civil Procedure and the Hague Convention of 18 March 1970 on the  
23 Taking of Evidence Abroad in Civil or Commercial Matters (“Hague Evidence  
24 Convention”) as interpreted and enforced under German law. All definitions and  
25 instructions will be treated as having no force or effect to the extent they purport to  
26 impose obligations on StudiVZ beyond those set forth in the Federal Rules of Civil  
27 Procedure or the Hague Evidence Convention as interpreted and enforced under  
28 German law.

1 **REQUEST FOR PRODUCTION NO. 1:**

2 All DOCUMENTS that RELATE TO ANY contracts OR agreements  
3 between YOU AND ANY business licensed, located, based, OR incorporated in  
4 California OR ANY PERSON currently OR formerly residing OR domiciled in  
5 California.

6 **RESPONSE TO REQUEST FOR PRODUCTION NO. 1:**

7 StudiVZ hereby incorporates by reference the general objections set forth  
8 above. StudiVZ further objects to this request on the grounds that a plaintiff is not  
9 entitled to take discovery on personal jurisdiction as a matter of right. In order to  
10 do so, Facebook must either make a *prima facie* showing of jurisdiction over  
11 StudiVZ, or it must identify material jurisdictional issues that are in dispute.  
12 Facebook has done neither. StudiVZ further objects to this request on the grounds  
13 that the definition of "YOU" is grossly overbroad. StudiVZ further objects to this  
14 request on the grounds that it is unlimited as to time, and is so overbroad as to be  
15 unduly burdensome and harassing. StudiVZ further objects to this request on the  
16 grounds that it seeks information that is not relevant nor reasonably calculated to  
17 lead to the discovery of admissible evidence. StudiVZ further objects to this  
18 request on the grounds that it does not exclude contracts of adhesion, which are  
19 irrelevant to any issue of personal jurisdiction or *forum non conveniens*. StudiVZ  
20 further objects to this request on the grounds that it is not limited to contracts  
21 StudiVZ knew were with businesses or residents located in California. Subject to  
22 and without waiving the foregoing objections, StudiVZ states as follows:

23 StudiVZ has produced all non-confidential portions of the one negotiated  
24 contract to which it was a party that was in effect as of July 18, 2008, where the  
25 party on the other side was known by StudiVZ to be a California resident or where  
26 the contract expressly called for application of California law.

1 **REQUEST FOR PRODUCTION NO. 2:**

2 All DOCUMENTS that RELATE TO ANY USER OF STUDIVZ residing  
3 OR domiciled in California, including ALL COMMUNICATIONS.

4 **RESPONSE TO REQUEST FOR PRODUCTION NO. 2:**

5 StudiVZ hereby incorporates by reference the general objections set forth  
6 above. StudiVZ further objects to this request on the grounds that a plaintiff is not  
7 entitled to take discovery on personal jurisdiction as a matter of right. In order to  
8 do so, Facebook must either make a *prima facie* showing of jurisdiction over  
9 StudiVZ, or it must identify material jurisdictional issues that are in dispute.

10 Facebook has done neither. StudiVZ further objects to this request on the grounds  
11 that the definition of "STUDIVZ" is grossly overbroad. StudiVZ further objects to  
12 this request on the grounds that it does not know where its USERS reside or where  
13 they are domiciled. Subject to and without waiving the foregoing objections,  
14 StudiVZ states as follows:

15 On November 26, 2008, during one of the parties' meet and confer sessions,  
16 Facebook withdrew this request.

17  
18 **REQUEST FOR PRODUCTION NO. 3:**

19 ALL DOCUMENTS that RELATE TO ANY COMMUNICATION between  
20 YOU AND FACEBOOK.

21 **RESPONSE TO REQUEST FOR PRODUCTION NO. 3:**

22 StudiVZ hereby incorporates by reference the general objections set forth  
23 above. StudiVZ further objects to this request on the grounds that a plaintiff is not  
24 entitled to take discovery on personal jurisdiction as a matter of right. In order to  
25 do so, Facebook must either make a *prima facie* showing of jurisdiction over  
26 StudiVZ, or it must identify material jurisdictional issues that are in dispute.

27 Facebook has done neither. StudiVZ further objects to this request on the grounds  
28 that the definition of "YOU" is grossly overbroad. StudiVZ further objects to this

1 request on the grounds that it is unlimited as to time, and is so overbroad as to be  
2 unduly burdensome and harassing. StudiVZ further objects to this request on the  
3 grounds that it seeks information that is not relevant nor reasonably calculated to  
4 lead to the discovery of admissible evidence. StudiVZ further objects to this  
5 request to the extent it calls for documents covered by the Nondisclosure  
6 Agreement dated May 9, 2008. Subject to and without waiving the foregoing  
7 objections, StudiVZ states as follows:

8 As of the period on or near July 18, 2008, the date of the filing of this  
9 lawsuit, StudiVZ is aware of only communications between StudiVZ and Facebook  
10 related to Facebook's proposed purchase of StudiVZ from Holtzbrinck Networks  
11 and Holtzbrinck Ventures. However, those documents are not relevant to any issue  
12 in the case, including personal jurisdiction or venue, and are subject to the  
13 Nondisclosure Agreement dated May 9, 2008, which provides that the  
14 communications and disclosures related to the potential purchase would be not be  
15 used for any purpose other than in connection with the potential purchase itself. As  
16 to communications between StudiVZ and Facebook that have any relationship to  
17 what is alleged by Facebook in its complaint, those communications have been or  
18 will be produced.

19  
20 **REQUEST FOR PRODUCTION NO. 4:**

21 DOCUMENTS sufficient to IDENTIFY the number AND amount of sales of  
22 goods AND services sold OR provided by YOU to current OR former California  
23 residents, including PERSONS, businesses, AND USERS OF STUDIVZ.

24 **RESPONSE TO REQUEST FOR PRODUCTION NO. 4:**

25 StudiVZ hereby incorporates by reference the general objections set forth  
26 above. StudiVZ further objects to this request on the grounds that a plaintiff is not  
27 entitled to take discovery on personal jurisdiction as a matter of right. In order to  
28 do so, Facebook must either make a *prima facie* showing of jurisdiction over

1 StudiVZ, or it must identify material jurisdictional issues that are in dispute.  
2 Facebook has done neither. StudiVZ further objects to this request on the grounds  
3 that the definition of "YOU" is grossly overbroad. StudiVZ further objects to this  
4 request on the grounds that it is unlimited as to time, and is so overbroad as to be  
5 unduly burdensome and harassing. Subject to and without waiving the foregoing  
6 objections, StudiVZ states as follows:

7 As of July 18, 2008, StudiVZ did not have any accounts receivables that  
8 were owed by any known California resident(s) to StudiVZ. Accordingly, after a  
9 reasonable and diligent search, no documents responsive to this Request as limited  
10 to the time period at which this lawsuit was filed were found.

11  
12 **REQUEST FOR PRODUCTION NO. 5:**

13 DOCUMENTS THAT RELATE TO the relationship of VERLAGSGRUPPE  
14 GEORG VON HOLTZBRINCK GmBH, HOLTZBRINCK NETWORKS GmBH,  
15 AND HOLTZBRINCK VENTURES GmBH to OR with STUDIVZ, including  
16 without limitation, the investments of VERLAGSGRUPPE GEORG VON  
17 HOLTZBRINCK GmBH, HOLTZBRINCK NETWORKS GmBH, AND  
18 HOLTZBRINCK VENTURES GmBH, in, AND control OR influence over  
19 STUDIVZ.

20 **RESPONSE TO REQUEST FOR PRODUCTION NO. 5:**

21 StudiVZ hereby incorporates by reference the general objections set forth  
22 above. StudiVZ further objects to this request on the grounds that a plaintiff is not  
23 entitled to take discovery on personal jurisdiction as a matter of right. In order to  
24 do so, Facebook must either make a *prima facie* showing of jurisdiction over  
25 StudiVZ, or it must identify material jurisdictional issues that are in dispute.  
26 Facebook has done neither. StudiVZ further objects to this request on the grounds  
27 that it is unlimited as to time, and is so overbroad as to be unduly burdensome and  
28 harassing. StudiVZ further objects to this request on the grounds that it seeks

1 information that is not relevant nor reasonably calculated to lead to the discovery of  
2 admissible evidence. Subject to and without waiving the foregoing objections,  
3 StudiVZ states as follows:

4 On November 26, 2008, during one of the parties' meet and confer sessions,  
5 Facebook limited this request to due diligence, investment transaction documents  
6 and StudiVZ board minutes that mention Facebook. Subject to this limitation,  
7 StudiVZ has produced or will produce all non-confidential portions of responsive  
8 documents in its possession, custody or control.

9  
10 **REQUEST FOR PRODUCTION NO. 6:**

11 DOCUMENTS sufficient to describe in detail the organizational structure of  
12 STUDIVZ from its creation until the present, including DOCUMENTS sufficient to  
13 identify ALL shareholders, officers, employees, investors, AND directors.

14 **RESPONSE TO REQUEST FOR PRODUCTION NO. 6:**

15 StudiVZ hereby incorporates by reference the general objections set forth  
16 above. StudiVZ further objects to this request on the grounds that a plaintiff is not  
17 entitled to take discovery on personal jurisdiction as a matter of right. In order to  
18 do so, Facebook must either make a *prima facie* showing of jurisdiction over  
19 StudiVZ, or it must identify material jurisdictional issues that are in dispute.  
20 Facebook has done neither. StudiVZ further objects to this request on the grounds  
21 that the definition of "STUDIVZ" is grossly overbroad. StudiVZ further objects to  
22 this request on the grounds that it is unlimited as to time, and is so overbroad as to  
23 be unduly burdensome and harassing. StudiVZ further objects to this request on the  
24 grounds that it seeks information that is not relevant nor reasonably calculated to  
25 lead to the discovery of admissible evidence. Subject to and without waiving the  
26 foregoing objections, StudiVZ states as follows:

27 On November 26, 2008, during one of the parties' meet and confer sessions,  
28 Facebook limited this request to StudiVZ's organizational charts that go down to



1 the Vice Presidential level and cover Engineering and Product Management.  
2 Subject to this limitation, StudiVZ has produced all responsive documents in its  
3 possession, custody or control.  
4

5 **REQUEST FOR PRODUCTION NO. 7:**

6 DOCUMENTS that RELATE TO STUDIVZ's business OR corporate  
7 records, including without limitation, meeting minutes, Articles of Incorporation,  
8 operating agreements, stock agreements, AND ANY DOCUMENTS that RELATE  
9 TO STUDIVZ's observance of corporate formalities, as well as Units, Capital  
10 Accounts. AND Management Reports.

11 **RESPONSE TO REQUEST FOR PRODUCTION NO. 7:**

12 StudiVZ hereby incorporates by reference the general objections set forth  
13 above. StudiVZ further objects to this request on the grounds that a plaintiff is not  
14 entitled to take discovery on personal jurisdiction as a matter of right. In order to  
15 do so, Facebook must either make a *prima facie* showing of jurisdiction over  
16 StudiVZ, or it must identify material jurisdictional issues that are in dispute.  
17 Facebook has done neither. StudiVZ further objects to this request on the grounds  
18 that the definition of "STUDIVZ" is grossly overbroad. StudiVZ further objects to  
19 this request on the grounds that it is unlimited as to time, and is so overbroad as to  
20 be unduly burdensome and harassing. StudiVZ further objects to this request on the  
21 grounds that it seeks information that is not relevant nor reasonably calculated to  
22 lead to the discovery of admissible evidence. Subject to and without waiving the  
23 foregoing objections, StudiVZ states as follows:

24 On November 26, 2008, during one of the parties' meet and confer sessions,  
25 Facebook limited this request to corporate formation documents. Subject to this  
26 limitation, StudiVZ has produced all non-confidential portions of responsive  
27 documents in its possession, custody or control.  
28

1 **REQUEST FOR PRODUCTION NO. 8:**

2 DOCUMENTS that RELATE TO STUDIVZ's financial history, including  
3 without limitation, financial reports, profit/loss statements, budgets, financial  
4 planning DOCUMENTS, accounts payable, accounts receivable, AND loan  
5 DOCUMENTS, as well as Financial Reports, Capital Accounts, AND Adjusted  
6 Capital Accounts.

7 **RESPONSE TO REQUEST FOR PRODUCTION NO. 8:**

8 StudiVZ hereby incorporates by reference the general objections set forth  
9 above. StudiVZ further objects to this request on the grounds that a plaintiff is not  
10 entitled to take discovery on personal jurisdiction as a matter of right. In order to  
11 do so, Facebook must either make a *prima facie* showing of jurisdiction over  
12 StudiVZ, or it must identify material jurisdictional issues that are in dispute.  
13 Facebook has done neither. StudiVZ further objects to this request on the grounds  
14 that the definition of "STUDIVZ" is grossly overbroad. StudiVZ further objects to  
15 this request on the grounds that it is unlimited as to time, and is so overbroad as to  
16 be unduly burdensome and harassing. StudiVZ further objects to this request on the  
17 grounds that it seeks information that is not relevant nor reasonably calculated to  
18 lead to the discovery of admissible evidence. Subject to and without waiving the  
19 foregoing objections, StudiVZ states as follows:

20 On November 26, 2008, during one of the parties' meet and confer sessions,  
21 Facebook informed StudiVZ that Facebook was putting this request "on hold" and  
22 that Facebook would not bring a motion to compel with respect to this request.  
23 Facebook has not pursued, and has not further discussed, this request during  
24 subsequent meet and confer sessions.

25  
26 **REQUEST FOR PRODUCTION NO. 9:**

27 DOCUMENTS that RELATE TO ANY contacts OR COMMUNICATIONS  
28 YOU have had with PERSONS currently OR formerly residing OR domiciled in

1 California; businesses (including without limitation, Internet search engines  
2 providers such as Google Inc. AND Yahoo! Inc., server providers, advertising  
3 agencies, advertisers, Internet service providers, computer equipment providers,  
4 YOUR licensors AND licensees) currently OR formerly located, licensed, based,  
5 OR incorporated in California; AND universities, colleges, high schools located in  
6 California, including without limitation, letters, emails, advertising materials,  
7 business solicitations, business contacts, telephonic conversations, facsimile  
8 transmissions, AND trips to California.

9 **RESPONSE TO REQUEST FOR PRODUCTION NO. 9:**

10 StudivZ hereby incorporates by reference the general objections set forth  
11 above. StudivZ further objects to this request on the grounds that a plaintiff is not  
12 entitled to take discovery on personal jurisdiction as a matter of right. In order to  
13 do so, Facebook must either make a *prima facie* showing of jurisdiction over  
14 StudivZ, or it must identify material jurisdictional issues that are in dispute.  
15 Facebook has done neither. StudivZ further objects to this request on the grounds  
16 that the definition of "YOU" is grossly overbroad. StudivZ further objects to this  
17 request on the grounds that it is unlimited as to time, and is so overbroad as to be  
18 unduly burdensome and harassing. StudivZ further objects to this request on the  
19 grounds that it is compound. StudivZ further objects to this request on the grounds  
20 that it seeks information that is not relevant nor reasonably calculated to lead to the  
21 discovery of admissible evidence. Subject to and without waiving the foregoing  
22 objections, StudivZ states as follows:

23 On November 26, 2008, during one of the parties' meet and confer sessions,  
24 StudivZ agreed to produce any contracts in effect as of July 18, 2008, the date this  
25 lawsuit was filed, with a known California resident or that expressly called for the  
26 application of California law and any accounts payable or accounts receivable that  
27 were owing to or from a known California resident as of July 18, 2008. After a  
28 reasonable and diligent search, one such contract was found and produced and it

1 was discovered that StudiVZ did not have any accounts receivables or accounts  
2 payable that existed with a known California resident as of July 18, 2008.

3  
4 **REQUEST FOR PRODUCTION NO. 10:**

5 DOCUMENTS sufficient to show, on a monthly basis, how many USERS  
6 OF STUDIVZ have been registered on [www.studivz.net](http://www.studivz.net), [www.meinvz.net](http://www.meinvz.net),  
7 [www.studiqq.fr](http://www.studiqq.fr), [www.studiln.it](http://www.studiln.it), [www.estudiln.net](http://www.estudiln.net), [www.studentix.pl](http://www.studentix.pl), AND  
8 [www.schuelervz.net](http://www.schuelervz.net) since October 2005, AND how many of those USERS OF  
9 STUDIVZ are residents of California.

10 **RESPONSE TO REQUEST FOR PRODUCTION NO. 10:**

11 StudiVZ hereby incorporates by reference the general objections set forth  
12 above. StudiVZ further objects to this request on the grounds that a plaintiff is not  
13 entitled to take discovery on personal jurisdiction as a matter of right. In order to  
14 do so, Facebook must either make a *prima facie* showing of jurisdiction over  
15 StudiVZ, or it must identify material jurisdictional issues that are in dispute.  
16 Facebook has done neither. StudiVZ further objects to this request on the grounds  
17 that it so overbroad as to be unduly burdensome and harassing. StudiVZ further  
18 objects to this request on the grounds that it seeks information that is not relevant  
19 nor reasonably calculated to lead to the discovery of admissible evidence. Subject  
20 to and without waiving the foregoing objections, StudiVZ states as follows:

21 StudiVZ cannot go back into time to search its user records to determine on  
22 any given date the number of users it has who are residents of California or who  
23 have identified some affiliation with a California college or university. It can only  
24 conduct such a search on a then-current basis. StudiVZ conducted two such  
25 searches in October 2008 in connection with its then-anticipated motion to dismiss,  
26 which has since been filed. The first was conducted on or about October 14, 2008.  
27 At that time, there were a total of 11,628,863 users of all StudiVZ Websites. Only  
28 10,272 of those users had identified themselves as being affiliated with California

1 or a California-located university. Specifically, out of the 5,509,971 registered  
2 users of the StudiVZ- branded sites, only 8,547 identified themselves as affiliated  
3 with universities located in California. Out of the 4,396,184 registered users of the  
4 SchuelerVZ-branded sites, only 122 identified themselves as being located in  
5 California. Out of the 1,722,708 registered users of the MeinVZ-branded sites,  
6 only 1,603 identified themselves as being located in California. There are no  
7 documents related to that search, other than attorney-client privileged  
8 communications from StudiVZ to its counsel reciting the statistics.

9 The second search was done on or about October 22, 2008. At that time,  
10 there were a total of 11,768,965 users of all StudiVZ Websites. Only 11,013 of  
11 those users had identified themselves as being affiliated with California or a  
12 California-located university. Specifically, out of the 5,534,300 registered users of  
13 the StudiVZ-branded sites, only 9,144 had identified themselves as affiliated with  
14 universities located in California. Out of the 4,443,708 registered users of the  
15 SchuelerVZ-branded sites, only 122 identified themselves as being located in  
16 California. Out of the 1,790,957 registered users of the MeinVZ-branded sites, only  
17 1,747 identified themselves as being located in California. There is an excel  
18 spreadsheet that StudiVZ used to compile the numbers from that search, which will  
19 be produced. There are no other documents related to that search.

20  
21 **REQUEST FOR PRODUCTION NO. 11:**

22 DOCUMENTS sufficient to show the number AND amount of accounts  
23 receivable owed YOU by California residents, including PERSONS AND entities,  
24 as well as the goods AND services for which the individual accounts receivable are  
25 owed to.

26 **RESPONSE TO REQUEST FOR PRODUCTION NO. 11:**

27 StudiVZ hereby incorporates by reference the general objections set forth  
28 above. StudiVZ further objects to this request on the grounds that a plaintiff is not

1 entitled to take discovery on personal jurisdiction as a matter of right. In order to  
2 do so, Facebook must either make a *prima facie* showing of jurisdiction over  
3 StudiVZ, or it must identify material jurisdictional issues that are in dispute.  
4 Facebook has done neither. StudiVZ further objects to this request on the grounds  
5 that the definition of “YOU” is grossly overbroad. StudiVZ further objects to this  
6 request on the grounds that it so overbroad as to be unduly burdensome and  
7 harassing. StudiVZ further objects to this request on the grounds that it seeks  
8 information that is not relevant nor reasonably calculated to lead to the discovery of  
9 admissible evidence. Subject to and without waiving the foregoing objections,  
10 StudiVZ states as follows:

11 After a reasonable and diligent search, no responsive documents were found  
12 for the time period at or about July 18, 2008, the date this lawsuit was filed.

13  
14 **REQUEST FOR PRODUCTION NO. 12:**

15 DOCUMENTS sufficient to show ALL of YOUR current AND former  
16 personal OR real property currently OR previously located in California.

17 **RESPONSE TO REQUEST FOR PRODUCTION NO. 12:**

18 StudiVZ hereby incorporates by reference the general objections set forth  
19 above. StudiVZ further objects to this request on the grounds that a plaintiff is not  
20 entitled to take discovery on personal jurisdiction as a matter of right. In order to  
21 do so, Facebook must either make a *prima facie* showing of jurisdiction over  
22 StudiVZ, or it must identify material jurisdictional issues that are in dispute.  
23 Facebook has done neither. StudiVZ further objects to this request on the grounds  
24 that the definition of “YOU” is grossly overbroad. Subject to and without waiving  
25 the foregoing objections, StudiVZ states as follows:

26 After a reasonable and diligent search, no responsive documents were found.  
27  
28

1 **REQUEST FOR PRODUCTION NO. 13:**

2 ALL contracts involving YOU in which California law governs.

3 **RESPONSE TO REQUEST FOR PRODUCTION NO. 13:**

4 StudiVZ hereby incorporates by reference the general objections set forth  
5 above. StudiVZ further objects to this request on the grounds that a plaintiff is not  
6 entitled to take discovery on personal jurisdiction as a matter of right. In order to  
7 do so, Facebook must either make a *prima facie* showing of jurisdiction over  
8 StudiVZ, or it must identify material jurisdictional issues that are in dispute.  
9 Facebook has done neither. StudiVZ further objects to this request on the grounds  
10 that the definition of "YOU" is grossly overbroad. StudiVZ further objects to this  
11 request on the grounds that it so overbroad as to be unduly burdensome and  
12 harassing. StudiVZ further objects to this request on the grounds that it does not  
13 exclude contracts of adhesion. StudiVZ further objects to this request on the  
14 grounds that it seeks information that is not relevant nor reasonably calculated to  
15 lead to the discovery of admissible evidence. Subject to and without waiving the  
16 foregoing objections, StudiVZ states as follows:

17 StudiVZ has produced all non-confidential portions of the one negotiated  
18 contract to which it was a party that was in effect as of July 18, 2008, where the  
19 party on the other side was known by StudiVZ to be a California resident or where  
20 the contract expressly called for application of California law. Even that one  
21 contract does not clearly call for the application of California law. One provision  
22 refers to California law, but the more specific provision calls for the application of  
23 German law.

24  
25 **REQUEST FOR PRODUCTION NO. 14:**

26 ALL DOCUMENTS RELATED TO instances when YOU accessed  
27 FACEBOOK website, www.facebook.com OR www.thefacebook.com.

1 **RESPONSE TO REQUEST FOR PRODUCTION NO. 14:**

2 StudivZ hereby incorporates by reference the general objections set forth  
3 above. StudivZ further objects to this request on the grounds that a plaintiff is not  
4 entitled to take discovery on personal jurisdiction as a matter of right. In order to  
5 do so, Facebook must either make a *prima facie* showing of jurisdiction over  
6 StudivZ, or it must identify material jurisdictional issues that are in dispute.  
7 Facebook has done neither. StudivZ further objects to this request on the grounds  
8 that the definition of "YOU" is grossly overbroad. StudivZ further objects to this  
9 request on the grounds that it so overbroad as to be unduly burdensome and  
10 harassing. StudivZ further objects to this request on the grounds that it seeks  
11 information that is not relevant nor reasonably calculated to lead to the discovery of  
12 admissible evidence.

13 Despite numerous conferences with counsel to meet and confer in an attempt  
14 to narrow this request, the parties have been unable to come to agreement on the  
15 appropriate scope of this request.

16  
17 **REQUEST FOR PRODUCTION NO. 15:**

18 IDENTIFY ALL of YOUR licenses OR registrations regarding the ability to  
19 do business in California.

20 **RESPONSE TO REQUEST FOR PRODUCTION NO. 15:**

21 StudivZ hereby incorporates by reference the general objections set forth  
22 above. StudivZ further objects to this request on the grounds that a plaintiff is not  
23 entitled to take discovery on personal jurisdiction as a matter of right. In order to  
24 do so, Facebook must either make a *prima facie* showing of jurisdiction over  
25 StudivZ, or it must identify material jurisdictional issues that are in dispute.  
26 Facebook has done neither. StudivZ further objects to this request on the grounds  
27 that the definition of "YOUR" is grossly overbroad. Subject to and without  
28 waiving the foregoing objections, StudivZ states as follows:



1 After a reasonable and diligent search, no responsive documents were found.

2  
3 **REQUEST FOR PRODUCTION NO. 16:**

4 ALL DOCUMENTS RELATED TO the services provided by  
5 [www.studivz.net](http://www.studivz.net), [www.meinvz.net](http://www.meinvz.net), [www.studiqq.fr](http://www.studiqq.fr), [www.studiln.it](http://www.studiln.it),  
6 [www.estudiln.net](http://www.estudiln.net), [www.studentix.pl](http://www.studentix.pl), AND [www.schuelervz.net](http://www.schuelervz.net) to USERS OF  
7 STUDIVZ, including how they are provided.

8 **RESPONSE TO REQUEST FOR PRODUCTION NO. 16:**

9 StudiVZ hereby incorporates by reference the general objections set forth  
10 above. StudiVZ further objects to this request on the grounds that a plaintiff is not  
11 entitled to take discovery on personal jurisdiction as a matter of right. In order to  
12 do so, Facebook must either make a *prima facie* showing of jurisdiction over  
13 StudiVZ, or it must identify material jurisdictional issues that are in dispute.  
14 Facebook has done neither. StudiVZ further objects to this request on the grounds  
15 that it is unlimited as to time, and is so overbroad as to be unduly burdensome and  
16 harassing. StudiVZ further objects to this request on the grounds that it seeks  
17 information that is not relevant nor reasonably calculated to lead to the discovery of  
18 admissible evidence. Subject to and without waiving the foregoing objections,  
19 StudiVZ states as follows:

20 On November 26, 2008, during one of the parties' meet and confer sessions,  
21 Facebook's counsel, Annette Hurst, agreed that this request was too broad and  
22 informed StudiVZ's counsel that Facebook would reconsider what, if anything,  
23 Facebook really needed. On December 23, 2008, during another one of the parties'  
24 meet and confer sessions, Facebook's new counsel, Thomas Gray, proposed to  
25 "limit" this request to documents regarding the design, development and  
26 implementation of StudiVZ's websites. Since the proposed "limitation"  
27 encompasses categories beyond the actual request and would make this request  
28 even more broad, StudiVZ rejected Facebook's proposed "limitation."

1 **REQUEST FOR PRODUCTION NO. 17:**

2 ALL DOCUMENTS RELATED TO the circumstances surrounding the  
3 formation of STUDIVZ as a company, including filings, investments,  
4 communications, capitalization, directors, officers, attorneys, investors, AND  
5 reasons for the formation.

6 **RESPONSE TO REQUEST FOR PRODUCTION NO. 17:**

7 StudiVZ hereby incorporates by reference the general objections set forth  
8 above. StudiVZ further objects to this request on the grounds that a plaintiff is not  
9 entitled to take discovery on personal jurisdiction as a matter of right. In order to  
10 do so, Facebook must either make a *prima facie* showing of jurisdiction over  
11 StudiVZ, or it must identify material jurisdictional issues that are in dispute.  
12 Facebook has done neither. StudiVZ further objects to this request on the grounds  
13 that the definition of "STUDIVZ" is grossly overbroad. StudiVZ further objects to  
14 this request on the grounds that it is unlimited as to time, and is so overbroad as to  
15 be unduly burdensome and harassing. StudiVZ further objects to this request on the  
16 grounds that it seeks information that is not relevant nor reasonably calculated to  
17 lead to the discovery of admissible evidence. Subject to and without waiving the  
18 foregoing objections, StudiVZ states as follows: Subject to and without waiving  
19 the foregoing objections, StudiVZ states as follows:

20 On November 26, 2008, during one of the parties' meet and confer sessions,  
21 StudiVZ agreed to produce a somewhat more limited category of responsive  
22 documents -- i.e., the documents that constitute the actual corporate formation of  
23 StudiVZ -- and those documents have been produced.

24  
25 **REQUEST FOR PRODUCTION NO. 18:**

26 ALL DOCUMENTS RELATED TO current AND former directors, officers,  
27 employees, AND agents of STUDIVZ, including DOCUMENTS RELATED TO  
28 dates in these positions, duties, authorities, AND responsibilities.

1 **RESPONSE TO REQUEST FOR PRODUCTION NO. 18:**

2 StudiVZ hereby incorporates by reference the general objections set forth  
3 above. StudiVZ further objects to this request on the grounds that a plaintiff is not  
4 entitled to take discovery on personal jurisdiction as a matter of right. In order to do  
5 so, Facebook must either make a *prima facie* showing of jurisdiction over StudiVZ,  
6 or it must identify material jurisdictional issues that are in dispute. Facebook has  
7 done neither. StudiVZ further objects to this request on the grounds that the  
8 definition of "STUDIVZ" is grossly overbroad. StudiVZ further objects to this  
9 request on the grounds that it is unlimited as to time, and is so overbroad as to be  
10 unduly burdensome and harassing. StudiVZ further objects to this request on the  
11 grounds that it seeks information that is not relevant nor reasonably calculated to  
12 lead to the discovery of admissible evidence. Subject to and without waiving the  
13 foregoing objections, StudiVZ states as follows:

14 On November 26, 2008, during one of the parties' meet and confer sessions,  
15 Facebook limited this request to StudiVZ's organizational charts that go down to  
16 the Vice Presidential level and cover Engineering and Product Management.  
17 Subject to this limitation, StudiVZ has produced all responsive documents in its  
18 possession, custody or control.

19  
20 **REQUEST FOR PRODUCTION NO. 19:**

21 ALL DOCUMENTS RELATED TO YOUR promotions AND marketing  
22 activities directed, at least in part, at California residents.

23 **RESPONSE TO REQUEST FOR PRODUCTION NO. 19:**

24 StudiVZ hereby incorporates by reference the general objections set forth  
25 above. StudiVZ further objects to this request on the grounds that a plaintiff is not  
26 entitled to take discovery on personal jurisdiction as a matter of right. In order to  
27 do so, Facebook must either make a *prima facie* showing of jurisdiction over  
28 StudiVZ, or it must identify material jurisdictional issues that are in dispute.

1 Facebook has done neither. StudiVZ further objects to this request on the grounds  
2 that the definition of “YOUR” is grossly overbroad. StudiVZ further objects to this  
3 request on the grounds that it is unlimited as to time, and is so overbroad as to be  
4 unduly burdensome and harassing. StudiVZ further objects to this request on the  
5 grounds that it seeks information that is not relevant nor reasonably calculated to  
6 lead to the discovery of admissible evidence. Subject to and without waiving the  
7 foregoing objections, StudiVZ states as follows:

8 After a reasonable and diligent search, no responsive documents were found.  
9

10 **REQUEST FOR PRODUCTION NO. 20:**

11 DOCUMENTS sufficient to identify ALL of YOUR business relationships  
12 with, OR financial interests in, businesses incorporated, located, based, OR with  
13 facilities OR offices located in California, including the nature of each relationship,  
14 including the name of each business, whether each business is incorporated,  
15 located, based OR has facilities OR offices located in California, AND the nature of  
16 the relationship, including ANY goods OR services provided.

17 **RESPONSE TO REQUEST FOR PRODUCTION NO. 20:**

18 StudiVZ hereby incorporates by reference the general objections set forth  
19 above. StudiVZ further objects to this request on the grounds that a plaintiff is not  
20 entitled to take discovery on personal jurisdiction as a matter of right. In order to  
21 do so, Facebook must either make a *prima facie* showing of jurisdiction over  
22 StudiVZ, or it must identify material jurisdictional issues that are in dispute.  
23 Facebook has done neither. StudiVZ further objects to this request on the grounds  
24 that the definition of “YOUR” is grossly overbroad. StudiVZ further objects to this  
25 request on the grounds that it is unlimited as to time, and is so overbroad as to be  
26 unduly burdensome and harassing. StudiVZ further objects to this request on the  
27 grounds that it seeks information that is not relevant nor reasonably calculated to  
28 lead to the discovery of admissible evidence. Subject to and without waiving the

1 foregoing objections, StudiVZ states as follows:

2 On November 26, 2008, during one of the parties' meet and confer sessions,  
3 StudiVZ agreed to produce any contracts in effect as of July 18, 2008, the date this  
4 lawsuit was filed, with a known California resident or that expressly called for the  
5 application of California law and any accounts payable or accounts receivable that  
6 were owing to or from a known California resident as of July 18, 2008. After a  
7 reasonable and diligent search, one such contract was found and produced and it  
8 was discovered that StudiVZ did not have any accounts receivable or accounts  
9 payable that existed with a known California resident as of July 18, 2008.

10  
11 **REQUEST FOR PRODUCTION NO. 21:**

12 DOCUMENTS sufficient to show the ownership of STUDIVZ, including  
13 without limitation PERSON'S names, amounts they contributed OR invested, AND  
14 their percent ownership OR control on a by-PERSON basis.

15 **RESPONSE TO REQUEST FOR PRODUCTION NO. 21:**

16 StudiVZ hereby incorporates by reference the general objections set forth  
17 above. StudiVZ further objects to this request on the grounds that a plaintiff is not  
18 entitled to take discovery on personal jurisdiction as a matter of right. In order to  
19 do so, Facebook must either make a *prima facie* showing of jurisdiction over  
20 StudiVZ, or it must identify material jurisdictional issues that are in dispute.  
21 Facebook has done neither. StudiVZ further objects to this request on the grounds  
22 that the definition of "STUDIVZ" is grossly overbroad. StudiVZ further objects to  
23 this request on the grounds that it is unlimited as to time, and is so overbroad as to  
24 be unduly burdensome and harassing. StudiVZ further objects to this request on the  
25 grounds that it seeks information that is not relevant nor reasonably calculated to  
26 lead to the discovery of admissible evidence. Subject to and without waiving the  
27 foregoing objections, StudiVZ states as follows:

28 StudiVZ has produced such responsive documents.

1 **REQUEST FOR PRODUCTION NO. 22:**

2 ALL DOCUMENTS RELATED TO universities, colleges, high schools,  
3 AND institutes of higher learning located in California at which STUDIVZ  
4 provides OR provided services including without limitation access to  
5 www.studivz.net, www.meinvz.net, www.studiqq.fr, www.studiln.it,  
6 www.estudiln.net, www.studentix.pl, AND www.schuelervz.net, including without  
7 limitation University of California (ALL campuses), California State University  
8 (ALL campuses), as well as the USERS OF STUDIVZ using email domains (e.g.,  
9 name@stanford.edu) from those universities, colleges, high schools, AND institutes  
10 of higher learning.

11 **RESPONSE TO REQUEST FOR PRODUCTION NO. 22:**

12 StudiVZ hereby incorporates by reference the general objections set forth  
13 above. StudiVZ further objects to this request on the grounds that a plaintiff is not  
14 entitled to take discovery on personal jurisdiction as a matter of right. In order to  
15 do so, Facebook must either make a *prima facie* showing of jurisdiction over  
16 StudiVZ, or it must identify material jurisdictional issues that are in dispute.  
17 Facebook has done neither. StudiVZ further objects to this request on the grounds  
18 that the definition of "STUDIVZ" is grossly overbroad. Subject to and without  
19 waiving the foregoing objections, StudiVZ states as follows:

20 On November 26, 2008, during one of the parties' meet and confer sessions,  
21 Facebook withdrew this request. At that time, Facebook's counsel stated that  
22 Facebook was not interested in high schools, that Facebook would try to come up  
23 with a limitation on this request, and that Facebook might re-propound this request  
24 on a school by school basis. Facebook has not pursued, and has not further  
25 discussed, this request during subsequent meet and confer sessions.

26 ///

27 ///

28 ///

1 **REQUEST FOR PRODUCTION NO. 23:**

2 ALL versions of COMPUTER CODE YOU wrote, programmed OR helped  
3 develop that RELATES TO [www.studivz.net](http://www.studivz.net), [www.meinvz.net](http://www.meinvz.net), [www.studiqq.fr](http://www.studiqq.fr),  
4 [www.studiln.it](http://www.studiln.it), [www.estudiln.net](http://www.estudiln.net), [www.studentix.pl](http://www.studentix.pl), AND [www.schuelervz.net](http://www.schuelervz.net).

5 **RESPONSE TO REQUEST FOR PRODUCTION NO. 23:**

6 StudiVZ hereby incorporates by reference the general objections set forth  
7 above. StudiVZ further objects to this request on the grounds that a plaintiff is not  
8 entitled to take discovery on personal jurisdiction as a matter of right. In order to  
9 do so, Facebook must either make a *prima facie* showing of jurisdiction over  
10 StudiVZ, or it must identify material jurisdictional issues that are in dispute.  
11 Facebook has done neither. StudiVZ further objects to this request on the grounds  
12 that the definition of "YOU" is grossly overbroad. StudiVZ further objects to this  
13 request on the grounds that it is unlimited as to time, and is so overbroad as to be  
14 unduly burdensome and harassing. StudiVZ further objects to this request on the  
15 grounds that it seeks information that is not relevant nor reasonably calculated to  
16 lead to the discovery of admissible evidence.

17 Despite numerous conferences with counsel to meet and confer in an attempt  
18 to narrow this request, the parties have been unable to come to agreement on the  
19 appropriate scope of this request.

20  
21 **REQUEST FOR PRODUCTION NO. 24:**

22 A copy of ALL executable versions of COMPUTER CODE YOU use, used,  
23 developed OR helped develop that RELATES TO [www.studivz.net](http://www.studivz.net),  
24 [www.meinvz.net](http://www.meinvz.net), [www.studiqq.fr](http://www.studiqq.fr), [www.studiln.it](http://www.studiln.it), [www.estudiln.net](http://www.estudiln.net),  
25 [www.studentix.pl](http://www.studentix.pl), AND [www.schuelervz.net](http://www.schuelervz.net).

26 **RESPONSE TO REQUEST FOR PRODUCTION NO. 24:**

27 StudiVZ hereby incorporates by reference the general objections set forth  
28 above. StudiVZ further objects to this request on the grounds that a plaintiff is not

1 entitled to take discovery on personal jurisdiction as a matter of right. I In order to  
2 do so, Facebook must either make a *prima facie* showing of jurisdiction over  
3 StudiVZ, or it must identify material jurisdictional issues that are in dispute.  
4 Facebook has done neither. StudiVZ further objects to this request on the grounds  
5 that the definition of “YOU” is grossly overbroad. StudiVZ further objects to this  
6 request on the grounds that it is unlimited as to time, and is so overbroad as to be  
7 unduly burdensome and harassing. StudiVZ further objects to this request on the  
8 grounds that it seeks information that is not relevant nor reasonably calculated to  
9 lead to the discovery of admissible evidence. Subject to and without waiving the  
10 foregoing objections, StudiVZ states as follows:

11 On November 26, 2008, during one of the parties’ meet and confer sessions,  
12 Facebook’s counsel stated StudiVZ should “put a pin in that one” because she did  
13 not know why Facebook wanted executable code. Accordingly, and in reliance  
14 upon that statement by Facebook’s counsel, StudiVZ has not taken any further  
15 action with respect to this request.  
16

17 **REQUEST FOR PRODUCTION NO. 25:**

18 ALL COMMUNICATIONS that RELATE TO FACEBOOK, its website,  
19 OR the servers it uses, used, accesses OR accessed.

20 **RESPONSE TO REQUEST FOR PRODUCTION NO. 25:**

21 StudiVZ hereby incorporates by reference the general objections set forth  
22 above. StudiVZ further objects to this request on the grounds that a plaintiff is not  
23 entitled to take discovery on personal jurisdiction as a matter of right. In order to  
24 do so, Facebook must either make a *prima facie* showing of jurisdiction over  
25 StudiVZ, or it must identify material jurisdictional issues that are in dispute.  
26 Facebook has done neither. StudiVZ further objects to this request on the grounds  
27 that it is unlimited as to time, and is so overbroad as to be unduly burdensome and  
28 harassing. StudiVZ further objects to this request on the grounds that it seeks



1 information that is not relevant nor reasonably calculated to lead to the discovery of  
2 admissible evidence.

3 Despite numerous conferences with counsel to meet and confer in an attempt  
4 to narrow this request, the parties have been unable to come to agreement on the  
5 appropriate scope of this request.

6  
7 **REQUEST FOR PRODUCTION NO. 26:**

8 ALL COMMUNICATIONS that RELATE TO OR REFER TO  
9 FACEBOOK.

10 **RESPONSE TO REQUEST FOR PRODUCTION NO. 26:**

11 StudiVZ hereby incorporates by reference the general objections set forth  
12 above. StudiVZ further objects to this request on the grounds that a plaintiff is not  
13 entitled to take discovery on personal jurisdiction as a matter of right. In order to  
14 do so, Facebook must either make a *prima facie* showing of jurisdiction over  
15 StudiVZ, or it must identify material jurisdictional issues that are in dispute.  
16 Facebook has done neither. StudiVZ further objects to this request on the grounds  
17 that it is unlimited as to time, and is so overbroad as to be unduly burdensome and  
18 harassing. StudiVZ further objects to this request on the grounds that it seeks  
19 information that is not relevant nor reasonably calculated to lead to the discovery of  
20 admissible evidence.

21 Despite numerous conferences with counsel to meet and confer in an attempt  
22 to narrow this request, the parties have been unable to come to agreement on the  
23 appropriate scope of this request.

24  
25 **REQUEST FOR PRODUCTION NO. 27:**

26 A copy of ALL versions of COMPUTER CODE (including, without  
27 limitation, source code, object code and scripts) YOU wrote, which YOU used OR  
28 use, OR for which YOU paid that was designed to extract information from any

1 website, including thefacebook.com OR facebook.com.

2 **RESPONSE TO REQUEST FOR PRODUCTION NO. 27:**

3 StudiVZ hereby incorporates by reference the general objections set forth  
4 above. StudiVZ further objects to this request on the grounds that a plaintiff is not  
5 entitled to take discovery on personal jurisdiction as a matter of right. In order to  
6 do so, Facebook must either make a *prima facie* showing of jurisdiction over  
7 StudiVZ, or it must identify material jurisdictional issues that are in dispute.  
8 Facebook has done neither. StudiVZ further objects to this request on the grounds  
9 that the definition of "YOU" is grossly overbroad. StudiVZ further objects to this  
10 request on the grounds that it is unlimited as to time, and is so overbroad as to be  
11 unduly burdensome and harassing. StudiVZ further objects to this request on the  
12 grounds that it seeks information that is not relevant nor reasonably calculated to  
13 lead to the discovery of admissible evidence. Subject to and without waiving the  
14 foregoing objections, StudiVZ states as follows:

15 After a reasonable and diligent search, no responsive documents were found.

16  
17 **REQUEST FOR PRODUCTION NO. 28:**

18 ALL DOCUMENTS related to any account YOU created to access any  
19 FACEBOOK website, including thefacebook.com AND facebook.com.

20 **RESPONSE TO REQUEST FOR PRODUCTION NO. 28:**

21 StudiVZ hereby incorporates by reference the general objections set forth  
22 above. StudiVZ further objects to this request on the grounds that a plaintiff is not  
23 entitled to take discovery on personal jurisdiction as a matter of right. In order to  
24 do so, Facebook must either make a *prima facie* showing of jurisdiction over  
25 StudiVZ, or it must identify material jurisdictional issues that are in dispute.  
26 Facebook has done neither. StudiVZ further objects to this request on the grounds  
27 that the definition of "YOU" is grossly overbroad. StudiVZ further objects to this  
28 request on the grounds that it is unlimited as to time, and is so overbroad as to be

1 unduly burdensome and harassing. StudiVZ further objects to this request on the  
2 grounds that it seeks information that is not relevant nor reasonably calculated to  
3 lead to the discovery of admissible evidence.

4 Despite numerous conferences with counsel to meet and confer in an attempt  
5 to narrow this request, the parties have been unable to come to agreement on the  
6 appropriate scope of this request.

7  
8 **REQUEST FOR PRODUCTION NO. 29:**

9 ALL COMMUNICATIONS OR DOCUMENTS concerning or that  
10 RELATE TO the use of any server, including proxy server, to access  
11 FACEBOOK's server(s) OR website(s).

12 **RESPONSE TO REQUEST FOR PRODUCTION NO. 29:**

13 StudiVZ hereby incorporates by reference the general objections set forth  
14 above. StudiVZ further objects to this request on the grounds that a plaintiff is not  
15 entitled to take discovery on personal jurisdiction as a matter of right. In order to  
16 do so, Facebook must either make a *prima facie* showing of jurisdiction over  
17 StudiVZ, or it must identify material jurisdictional issues that are in dispute.  
18 Facebook has done neither. StudiVZ further objects to this request on the grounds  
19 that it is unlimited as to time, and is so overbroad as to be unduly burdensome and  
20 harassing. StudiVZ further objects to this request on the grounds that it seeks  
21 information that is not relevant nor reasonably calculated to lead to the discovery of  
22 admissible evidence.

23 Despite numerous conferences with counsel to meet and confer in an attempt  
24 to narrow this request, the parties have been unable to come to agreement on the  
25 appropriate scope of this request.

26 ///

27 ///

28 ///

1 **REQUEST FOR PRODUCTION NO. 30:**

2 ALL DOCUMENTS reflecting, associated with, OR that RELATE TO any  
3 of YOUR responses to Interrogatories in this action.

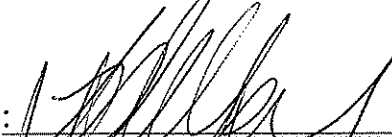
4 **RESPONSE TO REQUEST FOR PRODUCTION NO. 30:**

5 StudiVZ hereby incorporates by reference the general objections set forth  
6 above. StudiVZ further objects to this request on the grounds that a plaintiff is not  
7 entitled to take discovery on personal jurisdiction as a matter of right. In order to do  
8 so, Facebook must either make a *prima facie* showing of jurisdiction over StudiVZ,  
9 or it must identify material jurisdictional issues that are in dispute. Facebook has  
10 done neither. StudiVZ further objects to this request on the grounds that it is  
11 unlimited as to time, and is so overbroad as to be unduly burdensome and  
12 harassing. StudiVZ further objects to this request on the grounds that it seeks  
13 information that is not relevant nor reasonably calculated to lead to the discovery of  
14 admissible evidence. Subject to and without waiving the foregoing objections,  
15 StudiVZ states as follows:

16 StudiVZ has produced or will produce the specific documents identified in its  
17 interrogatory responses.

18 DATED: January 9, 2009

GREENBERG GLUSKER FIELDS  
CLAMAN & MACHTINGER LLP

20  
21 By:   
22 WILLIAM M. WALKER (SBN 145559)  
23 Attorneys for Defendants StudiVZ Ltd.,  
24 Holtzbrinck Networks GmbH, and  
25 Holtzbrinck Ventures GmbH  
26  
27  
28

**PROOF OF SERVICE**  
CCP §1011, CCP §1013a(3)

**STATE OF CALIFORNIA, COUNTY OF LOS ANGELES**

I am employed in the county of Los Angeles, State of California.

I am over the age of 18 and not a party to the within action; my business address is 1900 Avenue of the Stars, Suite 2100, Los Angeles, California 90067-4590.

On January 9, 2009, I served the foregoing document described as **STUDIVZ LTD.'S SUPPLEMENTAL RESPONSES TO FACEBOOK, INC.'S FIRST SET OF REQUESTS FOR PRODUCTION** on the interested parties in this action

by placing  the original  a true copy thereof enclosed in sealed envelopes addressed as follows:

Thomas Gray, Esq. (ORIGINAL)  
tgray@orrick.com  
Orrick, Herrington & Sutcliffe LLP  
4 Park Plaza, Suite 1600  
Irvine, CA 92614-2558

Attorneys for Plaintiff Facebook, Inc.

Gary E. Weiss, Esq. (COPY)  
gweiss@orrick.com  
Orrick, Herrington & Sutcliffe LLP  
1000 Marsh Road  
Menlo Park, CA 94025

**BOTH BY E-MAIL AND U.S. MAIL:**

As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at Los Angeles, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit. A true and correct copy of the document was also e-mailed to Thomas Gray, Esq., tgray@orrick.com, and to Gary E. Weiss, Esq. at gweiss@orrick.com.

Executed on January 9, 2009, at Los Angeles, California.

**BY PERSONAL SERVICE:**

I delivered such envelope by hand to the offices of the addressee.

Executed on \_\_\_\_\_, at Los Angeles, California.

(Fed) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

\_\_\_\_\_  
Nancy L. Luis

  
\_\_\_\_\_  
SIGNATURE

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