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9 Attorneys for Defendants Power  
 10 Ventures, Inc. and Steve Vachani

11  
 12 UNITED STATES DISTRICT COURT  
 13 NORTHERN DISTRICT OF CALIFORNIA  
 14

15  
 16 FACEBOOK, INC.,

17  
 18 Plaintiff,

19 -against-

20 POWER VENTURES, INC. d/b/a POWER.COM, a  
 California corporation; POWER VENTURES, INC. a  
 21 Cayman Island Corporation, STEVE VACHANI, an  
 individual; DOE 1, d/b/a POWER.COM, an individual  
 22 and/or business entity of unknown nature; DOES 2  
 23 through 25, inclusive, individuals and/or business  
 entities of unknown nature,

24  
 25 Defendants.  
 26

Case No. 5:08-cv-05780

**NOTICE OF MOTION AND  
 MOTION TO DISMISS OR, IN  
 THE ALTERNATIVE, FOR A  
 MORE DEFINITE STATEMENT**

Judge: Honorable Jeremy Fogel

Date: May 8, 2009

Time: 9:00 a.m.

Courtroom: 3

27  
 28 NOTICE OF MOTION AND MOTION TO DISMISS OR, IN THE ALTERNATIVE, FOR A MORE DEFINITE  
 STATEMENT  
 57806

1 TO PLAINTIFF and all parties and their attorneys of record:

2 PLEASE TAKE NOTICE THAT on Friday May 8, 2009, at 9:00 a.m., or as soon  
3 thereafter as the matter may be heard in Courtroom 3 of the above-captioned Court, located at  
4 280 South First Street, San Jose, California, 95113, Defendants Power Ventures, Inc. and Steve  
5 Vachani (“Defendants”) will move and hereby do move the Court for an Order dismissing  
6 Plaintiff’s First Amended Complaint with prejudice pursuant to Rules 8, 9(b) and 12(b)(6) of the  
7 Federal Rule of Civil Procedure, or in the alternative, for a more definite statement, pursuant to  
8 Federal Rule of Civil Procedure 12(e).  
9

10 This Motion is based upon this Notice of Motion and Motion; the accompanying  
11 Memorandum of Points and Authorities; all pleadings and documents on file in this action; and  
12 such other materials or argument as the Court may properly consider prior to deciding this  
13 Motion.

14  
15 DATED: March 23, 2009

BRAMSON, PLUTZIK, MAHLER &  
BIRKHAUSER

17 By: \_\_\_\_\_ /s/  
18 Alan R. Plutzik

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