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 15 FACEBOOK, INC.

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

19 FACEBOOK, INC.,
 20 Plaintiff,
 21 v.
 22 POWER VENTURES, INC. a Cayman Island
 23 Corporation; STEVE VACHANI, an
 24 individual; DOE 1, d/b/a POWER.COM,
 25 DOES 2-25, inclusive,
 26 Defendants.

Case No. 5:08-cv-05780 JW (HRL)

**NOTICE OF HEARING ON
 FACEBOOK INC.'S MOTION TO
 DISMISS DEFENDANTS' COUNTER-
 COMPLAINT**

Date: June 7, 2010
 Time: 9:00 a.m.
 Judge: Hon. James Ware
 Courtroom: 8, 4th Floor

1 **NOTICE OF MOTION AND MOTION**

2 **TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

3 PLEASE TAKE NOTICE that on June 7, 2010 at 9:00 a.m. or as soon thereafter as the
 4 matter may be heard, in the courtroom of the Honorable James Ware, United States District
 5 Court, 280 S. First Street, San Jose, CA 95113, Facebook, Inc. ("Facebook") will move the Court
 6 for an order dismissing the Counterclaims of Power Ventures, Inc. and Steve Vachani
 7 (collectively, "Power") pursuant to Federal Rule of Civil Procedure 12(b)(6), and for an order
 8 striking the Affirmative Defenses pursuant to Federal Rule of Civil Procedure 12(f). This motion
 9 was originally noticed for hearing on February 26, 2010 before the Honorable Jeremy Fogel.
 10 However, Judge Fogel recused himself from this case at the hearing and the matter was
 11 reassigned to this Court. The Motion has been fully briefed by the parties:

12	Dkt. No. 58	Facebook's Notice of Motion, Motion and Memorandum In Support of Motion to Dismiss Counterclaims and Strike Affirmative Defenses
13	Dkt. No. 63	Power's Memorandum of Law In Opposition to Facebook's Motion to Dismiss Counterclaims and Strike Affirmative Defenses
14	Dkt. No. 67	Facebook's Reply Memorandum in Support of Motion to Dismiss Amended Counterclaims and Strike Affirmative Defenses
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18 Dated: March 10, 2010

JULIO C. AVALOS
Orrick, Herrington & Sutcliffe LLP

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21 /s/ Julio C. Avalos
JULIO C. AVALOS
Attorneys for Plaintiff
FACEBOOK, INC.