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10 Attorneys for Plaintiff  
 11 FACEBOOK, INC.

12  
 13 UNITED STATES DISTRICT COURT  
 14 NORTHERN DISTRICT OF CALIFORNIA  
 15 SAN JOSE DIVISION

16  
 17 FACEBOOK, INC., a Delaware  
 18 corporation,

Case No. C 09-05842 JF

19 Plaintiff,

**STIPULATED ORDER AND PERMANENT  
 INJUNCTION**

20 v.

21 JEREMI FISHER; PHILIP POREMBSKI;  
 RYAN SHIMEALL; and JOHN DOES 1-  
 22 25, individuals; and CHOKO SYSTEMS  
 LLC; HARM, INC.; PP WEB SERVICES  
 23 LLC, iMEDIA ONLINE SERVICES LLC,  
 and JOHN DOES 26-50, corporations,

24 Defendants.

25  
 26 **WHEREAS** Facebook commenced this action seeking, among other things, a permanent  
 27 injunction enjoining Defendants Jeremi Fisher, Philip Porembski, Ryan Shimeall, Choko Systems  
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1 LLC, Harm, Inc., PPWeb Services LLC, and iMedia Online Services LLC (collectively  
2 “Defendants”) and their officers, agents, servants, and employees, and those persons acting in  
3 concert or participation with them from engaging in an unlawful spam campaign against  
4 Facebook users, unauthorized access to Facebook’s network and Facebook user profiles, and  
5 from otherwise breaching Facebook’s Statement of Rights and Responsibilities;

6 **WHEREAS** Defendants Jeremi Fisher and Choko Systems LLC and Facebook consent to  
7 the entry of a permanent injunction, the terms of which are set forth below:

8 1. Defendants Jeremi Fisher, Choko Systems LLC, and all of their officers, agents,  
9 servants, employees and attorneys, and persons in active concert or participation with him who  
10 receive actual notice of this order are hereby enjoined from:

- 11 a. Initiating or procuring transmission of unsolicited commercial electronic  
12 messages ("spam") on or through Facebook’s computers, Facebook’s  
13 website, Facebook’s networks, or to Facebook users;
- 14 b. Accessing or attempting to access Facebook’s website, networks, data,  
15 information, user information, profiles, computers, or computer systems;
- 16 c. Soliciting, requesting, or taking any action to induce Facebook users to  
17 provide identifying information or representing that such solicitation,  
18 request, or action is being done with Facebook’s authorization or approval;
- 19 d. Purchasing, using, distributing, trafficking in, or selling compromised  
20 Facebook user account information;
- 21 e. Accessing or procuring the access of the accounts of other Facebook users;
- 22 f. Retaining any copies, electronic or otherwise, of any Facebook  
23 information, including user login information or passwords, obtained  
24 through illegitimate or unlawful actions;
- 25 g. Engaging in any activity that alters, damages, deletes, destroys, disrupts,  
26 diminishes the quality of, interferes with the performance of, or impairs the  
27 functionality of Facebook’s computers, computer system computer  
28 network, data, website, or services;

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- h. Engaging in any unlawful activities alleged in this action;
- i. Entering or accessing the physical premises or facilities of Facebook or its counsel; or
- j. Engaging in any activity that violates, or encourages, induces or facilitates violations of the Statement of Rights and Responsibilities, attached as Exhibit A to the Complaint in this action.


2. This Stipulated Order and Permanent Injunction is final and may not be appealed by either party.

DATED this 4th day of January, 2010.

**PERKINS COIE LLP**


**JEREMI FISHER**

By: s/ Brian Hennessey  
Brian Hennessey

By:   
Jeremi Fisher

Attorneys for Plaintiff  
FACEBOOK, INC

**JEREMI FISHER**

By:   
Jeremi Fisher

For: Choko Systems LLC

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**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

**IT IS FURTHER ORDERED** that the Clerk of the Court shall enter Judgment pursuant to this Order.

Dated: January 6, 2010

  
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The Honorable Jeremy Fogel  
United States District Judge

Approved as to form by:

**PERKINS COIE LLP**

By: /s/ Brian Hennessey  
Brian Hennessey

Attorneys for Plaintiff  
FACEBOOK, INC