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 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,

19 Plaintiff,

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

25 Defendants.

Case No. C 09-05842 JF

**[PROPOSED] AMENDED ORDER
 GRANTING PLAINTIFF'S REQUEST FOR
 ORDER DIRECTING RELEASE OF
 COMPUTER**

26 THIS MATTER came before the Court for hearing on plaintiff Facebook, Inc.'s
 27 ("Facebook") Administrative Request Pursuant to Local Rule 7-11 for an order directing the
 28

1 Sacramento County Sheriff's Department to release the computer described in Sacramento
2 County Sheriff's Department Report No. NE 2010-0093641 to Facebook for the purposes of
3 engaging an independent third party to make a mirror image of the computer's hard drive and to
4 deliver that mirror image to Facebook. After such imaging, Facebook shall return the computer
5 to the Sacramento County Sheriff's Department.

6 Now, the Court having considered Plaintiff's request, the memorandum in support thereof,
7 and the declaration of Ryan Mrazik in support of the request, hereby finds:

8 1. Defendants received notice and did not object to Facebook's Request to Obtain a
9 Copy of the information residing on the Computer turned over to the Sacramento Sheriff's
10 Department on or about May 26, 2010.

11 2. The lack of objection by defendants as well as the facts surrounding the recovery
12 of the computer are consistent with an intent to abandon the property.

13 3. Good cause exists to permit Facebook to obtain a copy of the information residing
14 on the computer currently in possession of the Sacramento Sheriff's Department and described in
15 Sacramento County Sheriff's Department Report No. NE 2010-0093641.

16
17 Now, therefore, it is hereby ORDERED as follows:

18 1. The Sacramento County Sheriff's Department is directed and ordered to make
19 available for copy, consistent with the terms of this Order, the computer described in Sacramento
20 County Sheriff's Department Report No. NE 2010-0093641.

21 2. Facebook is authorized to obtain a mirror image copy of the hard drive of the
22 computer described in Sacramento County Sheriff's Department Report No. NE 2010-0093641.
23 This copy may be obtained either on-site at the Sacramento Sheriff's Department or at the offices
24 of an independent third party selected by Facebook. In the event that the copy is made at the
25 offices of an independent third party, upon completing the copy, Facebook shall promptly return
26 the computer to the custody of the Sacramento Sheriff's Department.

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IT IS SO ORDERED.

Dated: _____, 2010

The Honorable Patricia V. Trumbull
United States Magistrate Judge

Presented by:

PERKINS COIE LLP

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CERTIFICATE OF SERVICE

I certify that on June 29, 2010, I sent the foregoing [PROPOSED] AMENDED ORDER GRANTING PLAINTIFF FACEBOOK, INC.'S REQUEST FOR ORDER DIRECTING RELEASE OF COMPUTER, which was filed with the Clerk of the Court using the CM/ECF system, via U.S. Mail and electronic mail to the following Defendants:

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Ryan Shimeall
iMedia Online Services LLC
10299 Julian Court
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I certify under penalty of perjury that the foregoing is true and correct.

DATED this 29th day of June 2010.

By: /s/ James R. McCullagh
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