

1 Brian Hennessy, State Bar No. 226721
 BHennessy@perkinscoie.com
 2 PERKINS COIE LLP
 3150 Porter Drive
 3 Palo Alto, CA 94304-1212
 Telephone: 650.838.4300
 4 Facsimile: 650.838.4350

5 Joseph Cutler, *pro hac vice application to follow*
 JCutler@perkinscoie.com
 6 PERKINS COIE LLP
 1201 Third Avenue, Suite 4800
 7 Seattle, WA 98101
 Telephone: 206.359.8000
 8 Facsimile: 206.359.9000

9 Attorneys for Plaintiff
 FACEBOOK, INC.

10 Stephen N. Hollman, Esq., State Bar No. 55219
 11 Business & Technology Law Group
 160 W. Santa Clara Street, Suite 1050
 12 San Jose, CA 95113
 Telephone: (408) 282-1949
 13 Facsimile: (408) 275-9930
 E-Mail: srh@businessandtechnologylawgroup.com

14 Attorneys for Defendant,
 15 Steven Richter

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

20 FACEBOOK, INC., a Delaware
 21 corporation,

22 Plaintiff,

23 v.

24 Steven Richter,

25 Defendant.

Case No. 5:10-cv-04710-LHK

**JOINT NOTICE OF INTENT TO SETTLE
 AND [PROPOSED] ORDER**

1 Counsel for plaintiff, Facebook, Inc. (“Facebook”), and counsel for defendant, Steven
2 Richter (“Richter”), Richter together file this Joint Notice of Intent To Settle and [Proposed]
3 Order.

4 1. Between January 25, 2011 and the current date, Facebook and Richter have
5 exchanged settlement documents a portion of which are confidential and a portion of which will
6 be filed with the Court upon consummation of the final settlement.

7 2. The parties are under an obligation to file with the Court on February 2, 2011 a
8 Case Management Statement and to participate in a Case Management Conference currently
9 calendared for February 9, 2011 at 2:00 p.m.

10 3. Counsel for each party in this action represents to the Court that they believe their
11 clients are close to reaching a final settlement of all claims at issue in this action.

12 4. As counsel and the parties work to consummate the final settlement, they believe
13 that there should be no need for them to file a Joint Case Management Statement because they
14 each now believe that the final settlement can be fully consummated.

15 5. It was the recommendation of the Court’s Calendar Clerk and Courtroom Deputy
16 that the parties respectfully request that the Court continue to March 2, 2011 the Case
17 Management Conference so that the Court does not lose track of this action, and the parties now
18 so request that continuance from the Court in light of the intended settlement referenced above.

19 //

20 //

21 //

22 //

23 //

24 //

25 //

26 //

27 //

28

1 **IT IS SO STIPULATED.**

2 DATED this 2nd day of February, 2011.

3 **Perkins Coie LLP**

4
5 By: /s/ Brian Hennessy
6 Brian Hennessy
7 Attorneys for Plaintiff,
8 FACEBOOK, INC.

9 I, Brian Hennessy, hereby attest, pursuant to N.D. Cal. General Order No. 45, that the
10 concurrence to the filing of this document has been obtained from each signatory hereto.

11 **Business & Technology Law
12 Group**

13 By: /s/ Stephen N. Hollman
14 Stephen N. Hollman
15 Attorneys for Defendant,
16 STEVEN RICHTER

17 **PURSUANT TO STIPULATION OF THE PARTIES, AND THEIR RESPECTIVE
18 COUNSEL, IT IS HEREBY ORDERED AS FOLLOWS:**

19 1. Based upon the intended settlement of this action, the parties and their counsel are
20 relieved of the obligation to file with the Court on February 2, 2011 a Case Management
21 Statement.

22 2. In order for the Court to keep track of this action, the Case Management
23 Conference currently calendared for February 9, 2011 at 2:00 p.m. is continued to March 2, 2011
24 at 2:00 p.m.

25 3. In the event this action is not fully settled, the parties and their counsel are
26 directed to file a Joint Case Management Statement with the Court by February 23, 2011.

27 DATED this 3rd day of February 2011.

28 

HONORABLE LUCY H. KOH
United States District Judge