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11 Attorneys for Plaintiff
 12 FACEBOOK, INC.

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

17 FACEBOOK, INC., a Delaware
 18 corporation,

19 Plaintiff,

20 v.

21 Steven Richter,

22 Defendant.

Case No. 5:10-cv-04710

PROOF OF SERVICE

FACEBOOK, INC., A DELAWARE CORPORATION,

**Affidavit of
Attempted Service**

-against-

STEVEN RICHTER,

STATE OF NEW YORK, COUNTY OF SUFFOLK

GARY WALDREN, being duly sworn, deposes and says that deponent is not party to this action, is over 18 years of age and resides in the State of New York.

That on 10/21/2010 at 4:50 PM, your deponent attempted to serve the SUMMONS IN A CIVIL ACTION, CIVIL COVER SHEET, WITH SUPPORTING DOCUMENTS bearing Index # CV10-4710 HRL upon STEVEN RICHTER at 31 9TH AVENUE, KINGS PARK, NY 11754.

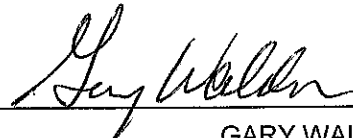
Your deponent was unable to serve same to the intended recipient(s) for the following reasons:

YOUR DEPONENT ARRIVED AT SAID ADDRESS ON THE 20TH OF OCTOBER AT 6:20 PM, AT 6:30 PM YOUR DEPONENTS STEPMOTHER ARRIVES HOME. AT 9:30 PM YOUR DEPONENT WAS ABLE TO TALK TO THE STEPMOTHER VIRGINIA WHO STATED THAT THE DEFENDANT DOES NOT LIVE AT SAID ADDRESS. AT 10:00 PM YOUR DEPONENT ARRIVED AT AN ALTERNATE ADDRESS THAT WAS PROVIDED BY THE CLIENT OF 47 TWIN OAKS DRIVE, KINGS PARK, NY, 11754 AND SAW A VEHICLE WITH PLATE NUMBER EVU7277. AT 10:25 PM YOUR DEPONENT KNOCKED ON THE DOOR AND WAS ABLE TO SEE A PERSON LOOKING FROM AN UPSTAIRS WINDOW. ON THE 20TH DAY OF OCTOBER YOUR DEPONENT MADE A TOTAL OF 5 HOURS OF STAKE OUT. ON THE 21ST DAY OF OCTOBER YOUR DEPONENT ARRIVED AT 47 TWIN OAKS DRIVE AT 5:50 AM AND SAW THE VEHICLE STILL PARKED AT THE PREMISES. AT 7:30 AM THE VEHICLE LEAVES THE HOUSE FROM GARAGE, YOUR DEPONENT WAS UNABLE TO SEE INSIDE THE VEHICLE BECAUSE ON THE TINTED WINDOWS. AT 8:00 AM YOUR DEPONENT KNOCKED ON THE DOOR BUT THERE WAS NO ANSWER. AT 9:15 AM YOUR DEPONENT KNOCKED ON THE DOOR AGAIN AND THIS TIME WAS ABLE TOT SPEAK TO THE DEFENDANTS MOTHER ELLEN RICHTER WHO STATED THAT HER SON WAS AWAY WITH FRIENDS AND THEN WARNED THAT SHE WOULD CALL THE POLICE AND HAVE ME ARRESTED IF I CAME BACK TO HER PROPERTY. AT 9:45 YOUR DEPONENT LEFT THE AREA. ON THE 21ST DAY OF OCTOBER YOUR DEPONENT MADE A TOTAL OF 4 HOURS OF STAKE OUT.

Sworn to before me on 10/22/2010:



ALEX ZAMBRANO
Notary Public, State of New York
No. 01ZA6184258
Qualified in SUFFOLK County
Commission Expires 03/31/2012



GARY WALDREN

FACEBOOK, INC., A DELAWARE CORPORATION,

**Affidavit of Service
SUBSTITUTE**

-against-

STEVEN RICHTER,

STATE OF NEW YORK, COUNTY OF SUFFOLK

DENISE BALDWIN, being duly sworn, deposes and says that deponent is not party to this action, is over 18 years of age and resides in the State of New York.

That on 10/21/2010 at 4:34 PM at 47 TWIN OAKS DRIVE, KINGS PARK, NY 11754, your deponent served the SUMMONS IN A CIVIL ACTION, CIVIL COVER SHEET, WITH SUPPORTING DOCUMENTS bearing Index # CV10-4710 HRL upon STEVEN RICHTER, by delivering a true copy to a person of suitable age and discretion, to wit: ELLEN RICHTER-MOTHER, who verified that the intended recipient actually resides at this location.

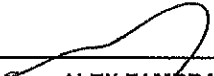
Your deponent describes the person so served to the best of deponent's ability at the time and circumstances of service as follows:

Gender: FEM
Skin Color: WHITE
Hair Color: BROWN
Approximate Age: 40-50
Approximate Height: 5'2-5'4
Approximate Weight: 115-125

That on 10/22/2010, your deponent mailed another true copy of same by First Class Mail properly enclosed and sealed in a postpaid wrapper addressed to the recipient at: 47 TWIN OAKS DRIVE, KINGS PARK, NY 11754 in an envelope bearing the legend "Personal and Confidential". Said envelope was deposited in an official depository under exclusive care and custody of the U.S. Postal Service.

That at the time of service as aforesaid, your deponent asked ELLEN RICHTER-MOTHER whether STEVEN RICHTER was currently enrolled in military service of the United States of America and received a negative reply. Upon such information, your deponent affirms that the named recipient is not actively enrolled in military service of the United States of America.

Sworn to before me on 10/22/2010:



ALEX ZAMBRANO
Notary Public, State of New York
No. 01ZA6184258
Qualified in SUFFOLK County
Commission Expires 03/31/2012



DENISE BALDWIN

Civil Action No. _____

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4(i))

This summons for *(name of individual and title, if any)* Steven Richter
was received by me on *(date)* 10/20/2010.

I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____; or

I left the summons at the individual's residence or usual place of abode with *(name)* Ellen Richter-Mother,
a person of suitable age and discretion who resides there,
on *(date)* 10/21/2010, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____; or

I returned the summons unexecuted because _____; or

Other *(specify)*: _____

My fees are \$ 0.00 for travel and \$ 0.00 for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: 10/22/2010
Sworn to before me on: 10/22/10



Alex Zambrano
Notary Public, State of New York
No. 01ZA6184258
Qualified in Suffolk County
Commission Expires 3/31/2012

Denise L. Baldwin
Server's signature

Denise L. Baldwin
Printed name and title

4250 Vets Highway, Holbrook, NY 11741
Server's address

Additional information regarding attempted service, etc: