S JS 44 (Rev. 12/07) (cand rev 1-16-08)

CIVIL COVER SHEET

The JS 44 civil coyer sheet, and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON PAGE TWO OF THE FORM.)

I. (a) PLAINTIFFS			DEFENDANTS			
FACEBOOK, INC., a Delaware corporation			Jason Swan			
	of First Listed Plaintiff Sa PT IN U.S. PLAINTIFF CA		NOTE: IN LAND CO	County of Residence of First Listed Defendant Clark County, NV (IN U.S. PLAINTIFF CASES ONLY) NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.		
(c) Attorney's (Firm Name, Address, and Telephone Number - 11110						
. Brian Hennessy, Esq.		Bearing 4's N a w	<i>3</i>			
Perkins Coie LLP, 101 Je Menlo Park, CA 94026 (650) 838-4300	fferson Street		C V 10-	471	1	
II. BASIS OF JURISDI	CTION (Place an "X" in O	ne Box Only)	(For Diversity Cases Only)	•	Place an "X" in One Box for Plaintiff and One Box for Defendant)	
1 U.S. Government X	3 Federal Question (U.S. Government N		Citizen of This State PTF	DEF Incorporated or Princi of Business In Th		
2 U.S. Government Defendant	4 Diversity (Indicate Citizenship o		Citizen of Another State 2	2 Incorporated and Print of Business In Ai		
W/ NATION OF CHIM			Citizen or Subject of a 3 Foreign Country	3 Foreign Nation	6 6	
IV. NATURE OF SUIT CONTRACT		PRTS	FORFEITURE/PENALTY	PANEDIDTOV	OTHER OF LEVERIO	
110 Insurance 120 Marine 130 Miller Act 140 Negotiable Instrument 150 Recovery of Overpayment & Enforcement of Judgment 151 Medicare Act 152 Recovery of Defaulted Student Loans (Excl. Veterans) 153 Recovery of Overpayment of Veteran's Benefits 160 Stockholders' Suits 190 Other Contract 195 Contract Product Liability 196 Franchise REAL PROPERTY 210 Land Condemnation 220 Foreclosure 230 Rent Lease & Ejectment 240 Torts to Land 245 Tort Product Liability 290 All Other Real Property	PERSONAL INJURY 310 Airplane 315 Airplane Product Liability 320 Assault Libel &	PERSONAL INJURY 362 Personal Injury— Med. Malpractice 365 Personal Injury— Product Liability 368 Asbestos Personal Injury Product Liability PERSONAL PROPERT) 370 Other Fraud 371 Truth in Lending 380 Other Personal Property Damage Product Liability PRISONER PETITIONS 510 Motions to Vacate Sentence Habeas Corpus: 530 General 535 Death Penalty 540 Mandamus & Other 550 Civil Rights	610 Agriculture 620 Other Food & Drug 625 Drug Related Seizure of Property 21 USC 881 630 Liquor Laws 640 R.R. & Truck 650 Airline Regs.	422 Appeal 28 USC 158 423 Withdrawal 28 USC 157 PROPERTY RIGHTS 820 Copyrights 830 Patent 840 Trademark SOCIAL SECURITY 861 HIA (1395ff) 862 Black Lung (923)	OTHER STATUTES 400 State Reapportionment 410 Antirust 430 Banks and Banking 450 Commerce 460 Deportation 470 Racketeer Influenced and Corrupt Organizations 480 Consumer Credit 490 Cable/Sat TV 810 Selective Service 850 Securities/Commodities/ Exchange 1875 Customer Challenge 12 USC 3410 \$890 Other Statutory Actions 891 Agricultural Acts 1892 Economic Stabilization Act 1893 Environmental Matters 1894 Energy Allocation Act 1895 Freedom of Information Act 1900Appeal of Fee Determination Under Equal Access to Justice 1950 Constitutionality of State Statutes	
V. ORIGIN (Place an "X" I Original 2 Remo Proceeding State	Court Appel	late Court Reo	pened (specify)	ct	Appeal to District ☐ 7 Judge from Magistrate Judgment	
VI. CAUSE OF ACTION	Brief description of c	8 U.S.C. § 1030 ause:	filing (Do not cite jurisdiction			
Unauthorized network access and sending of unsolicited commercial electronic messages; computer fraud and abuse; f VII. REQUESTED IN COMPLAINT: □ CHECK IF THIS IS A CLASS ACTION DEMAND \$ CHECK YES only if demanded in com UNDER F.R.C.P. 23 UNDER F.R.C.P. 23 □ CHECK YES ONLY DEMAND: ☑ YES□ No.						
VIII. RELATED CASE(S) IF ANY		TO CIVIL L.R. 3-12 CO	ONCERNING REQUIREME	NT TO FILE	AND: Yes No	
IX. DIVISIONAL ASSIGN! (PLACE AND "X" IN ONE		SAN	I FRANCISCO/OAKLAND	SAN JOSE		
DATE October 19, 2010		SANATURE OF ATTO	WEY OF RECORD			
				:		