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9 Attorneys for Plaintiff
FACEBOOK, INC.
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11 **UNITED STATES DISTRICT COURT**
12 **NORTHERN DISTRICT OF CALIFORNIA**
13 **SAN JOSE DIVISION**

14 FACEBOOK, INC., a Delaware
15 corporation,
16 Plaintiff,
17 v.
18 Jason Swan,
19 Defendant.

Case No. 5:10-cv-04711-JF
FINAL JUDGMENT ON CONSENT

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1 Defendant Jason Swan confesses judgment in favor of plaintiff Facebook, Inc. and hereby
2 authorizes the Court to enter judgment granting monetary relief in the sum of eighty-five
3 thousand dollars (\$85,000.00) in favor of plaintiff and against defendant Jason Swan. This Final
4 Judgment on Consent arises out of Facebook's allegations of wrongful conduct and resulting
5 injury to Facebook caused by Swan and the parties' resulting Settlement Agreement.
6

7 In accordance with the Settlement Agreement, Swan confesses, consents and stipulates to
8 judgment as follows:

9 1. Swan consents to this Court's jurisdiction over the subject matter at issue in this
10 action.

11 2. Swan consents to this Court's personal jurisdiction for the purposes of entry and
12 enforcement of this Final Judgment on Consent, enforcement of the previously entered
13 Stipulation and Permanent Injunction, and enforcement of the Settlement Agreement.

14 3. Swan consents to entry of judgment for monetary relief against him and in favor of
15 Facebook, Inc. in the total amount of Eighty-Five Thousand Dollars (\$85,000).

16 4. Swan consents to an entry of a permanent injunction enjoining him from:

- 17 a. Initiating or procuring transmission of unsolicited commercial electronic
18 messages ("spam") on or through Facebook's computers, Facebook's
19 website, Facebook's networks, or to Facebook users without Facebook's
20 express written consent;
- 21 b. Creating or maintaining any Facebook Pages without Facebook's express
22 written consent;
- 23 c. Creating or maintaining any Facebook applications without Facebook's
24 express written consent;
- 25 d. Creating, directing, maintaining, or profiting from any marketing campaign
26 directed at Facebook users without Facebook's express written consent;
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- e. Creating or maintaining any Facebook Profile without Facebook's express written consent;
- f. Creating, purchasing, using, distributing, trafficking in, or selling fake or compromised Facebook user account information;
- g. Engaging in any unlawful activities alleged in this action; and
- h. Engaging in any activity that violates, or encourages, induces or facilitates others to violate Facebook's Statement of Rights and Responsibilities, Developer Policies and Principles; Advertising Guidelines and all other applicable terms of use.

5. Swan agrees and stipulates that this Final Judgment on Consent is final and may not be appealed by any party.

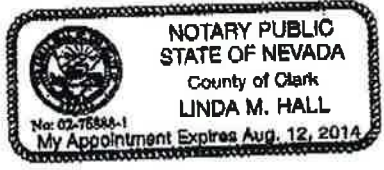
State of Nevada
County of Clark

IT IS SO AGREED.

DATED this 24 day of February, 2011.

Signed and sworn to (or affirmed) before me on this 24th Day of Feb 20 11 by Jason Swan
Linda M. Hall
(Notary Public)

Jason Swan



[Signature]
Individually

ASSENT BY PLAINTIFF

Plaintiff Facebook, Inc. assents to the entry of the above Confession of Judgment authorized by defendant Jason Swan.

DATED this 24 day of February, 2011.

FACEBOOK, INC.
By [Signature]
Its Litigation Counsel

1 Approved as to form by:

2 **PERKINS COIE LLP**

3
4 By:/s/ Brian Hennessy
Brian Hennessy

5 Attorneys for Plaintiff
6 FACEBOOK, INC.

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JUDGMENT

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

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DATED this _____ day of _____, 2011.

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HONORABLE JEREMY FOGEL

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