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 FACEBOOK, INC.

11  
 12 UNITED STATES DISTRICT COURT  
 13 NORTHERN DISTRICT OF CALIFORNIA  
 14 SAN JOSE DIVISION

16 FACEBOOK, INC., a Delaware  
 corporation,

17 Plaintiff,

18 v.

19 MAXBOUNTY, INC., a Canadian  
 20 corporation,

21 Defendant.

**Case No. 10-CV-4712-JF**

**[PROPOSED] ORDER DENYING  
 MAXBOUNTY, INC.'S MOTION TO  
 DISMISS COUNTS I, II AND III OF  
 FACEBOOK'S COMPLAINT**

Hearing Date: February 11, 2011  
 Time: 9:00 a.m.

1 The Court, having considered Defendant Maxbounty, Inc.'s Motion to Dismiss Counts I, II  
2 and III of Facebook's Complaint pursuant to Fed. R. Civ. P. 12(b)(6), Plaintiff Facebook's  
3 Opposition, and all associated briefing, supporting documents and evidence, IT IS HEREBY  
4 ORDERED THAT Defendant Maxbounty's Motion be DENIED.

5 IT IS SO ORDERED.

6  
7 Dated: \_\_\_\_\_

\_\_\_\_\_   
The Honorable Jeremy Fogel,  
United States District Judge

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9  
10 Presented on January 21, 2011 by

11  
12 By: /s/ James R. McCullagh  
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