

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

LEADER TECHNOLOGIES, INC., a  
Delaware corporation,

Plaintiff and Counterdefendant,

v.

FACEBOOK, INC., a Delaware  
corporation,

Defendant and Counterclaimant.

Civil Action No. 1:08-cv-00862-JJF

**PUBLIC VERSION OF**  
**HONORABLE LEONARD P. STARK DATED**  
**DECEMBER 22, 2009**  
**(D.I. 185)**

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Filed: December 21, 2009  
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December 22, 2009

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The Hon. Leonard P. Stark  
J. Caleb Boggs Federal Building  
U.S. District Court for the District of Delaware  
844 N. King Street, Unit 26, Room 6100  
Wilmington, DE 19801-3556

Re: **Leader Technologies, Inc. v. Facebook, Inc., Civ. No. 08-862-JJF-LPS**

Dear Judge Stark:

In its motion filed December 21, 2009, LTI asks this Court to compel Facebook

**REDACTED**

LTI's motion should be denied because Facebook has already produced this document to LTI in the manner to which both parties agreed in the Stipulated Protective Order (Exhibit 1). LTI has had full and complete access to this commercially sensitive information for more than a month. There is no reason to disregard the protections of the Stipulated Protective Order and place Facebook's most sensitive information at risk of inadvertent disclosure.

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**REDACTED**

It was for this reason that Facebook requested that the Stipulated Protective Order include a very high level of protection for not only the parties' source code, but for documents that include "the substance thereof[.]" Exhibit 1 at 8.

**REDACTED**

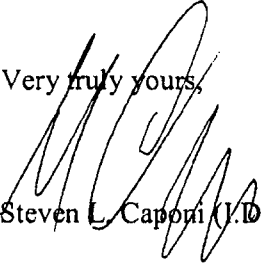
LTI offers no justification for its request to disregard the protections of the Stipulated Protective Order and place Facebook's source code at risk of inadvertent disclosure. The Stipulated Protective Order provides LTI with essentially unlimited time to review and analyze this information, and

**REDACTED**

**REDACTED** The Stipulated Protective Order does not make any such distinction, and instead provides for broad protection for documents containing the parties' source code "or the substance thereof[.]" Exhibit 1 at 8.

In sum, the parties negotiated Section 8 of the Stipulated Protective Order to govern the production of precisely this type of information. LTI already has full access to **REDACTED** and has spent only a minimal amount of time reviewing it. Requiring Facebook to deviate from the Stipulated Protective Order and turn over a copy of **REDACTED** would create a substantial and unacceptable risk of inadvertent disclosure. Facebook therefore respectfully requests that this Court deny LTI's motion.

Very truly yours,

  
Steven L. Caponi (I.D. No. 3484)