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March 25, 2009

**BY E-FILE**

The Honorable Joseph J. Farnan, Jr.  
U.S. District Court for the District of Delaware  
U.S. Courthouse  
844 North King Street  
Wilmington, DE 19801

Re: Leader Technologies, Inc. v. Facebook, Inc.,  
D. Del., C.A. No. 08-862-JJF

Dear Judge Farnan:

In accordance with Your Honor's directive at the March 3, 2009 scheduling conference in this matter, I am enclosing plaintiff Leader Technologies, Inc.'s ("Leader") proposed scheduling order. Leader's proposal reflects the dates that were discussed at the March 3 scheduling conference. Specifically, Leader's proposed schedule includes the Court-ordered trial date of June 7, 2010 (March, 3, 2009, Scheduling Conference Transcript ("Tr.") 24:5-8). Leader's proposed scheduling order also reflects other dates that were discussed during the hearing, including a fact discovery cut-off date of July 10, 2009 (Tr. at 19:20-23) and the date for a Markman hearing of October 14, 2009 (Tr. at 19:24-20:2).

Regrettably, the attached scheduling order does not contain any dates agreed upon by Defendant Facebook, Inc. ("Facebook") because Facebook refused to discuss any dates during the meet and confer between the parties regarding the schedule in this case. Facebook took the position that, because it was dissatisfied with some of Leader's interrogatory responses, it was not required to provide proposed dates for the scheduling order. Even if Leader's discovery responses were deficient in some way (which they were not), refusing to engage in the post-scheduling conference meet and confer process is clearly not a proper response. Here, however, Leader's interrogatory responses to Facebook's nine interrogatories were more than sufficient to allow Facebook to agree on discovery dates. It included infringement charts, identification of documents by Bates Number of screen shots of Facebook's website to support the infringement contentions, and was no less than 34 pages long.

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Leader respectfully submits that its proposed scheduling order be entered by the Court. Counsel is available at the Court's convenience should Your Honor have any questions.

Respectfully,



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PAR/mes/908796

Enc.

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