

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

LEADER TECHNOLOGIES, INC., a)	
Delaware corporation,)	
)	Civil Action No. 08-862-LPS
Plaintiff-Counterdefendant,)	
)	
v.)	
)	
FACEBOOK, INC.,)	
a Delaware corporation,)	
)	
Defendant-Counterclaimant.)	

**LEADER TECHNOLOGIES, INC.'S OPPOSITION TO FACEBOOK INC.'S
MOTION FOR REDACTION OF ELECTRONIC TRANSCRIPT OF THE
MARCH 12, 2010 HEARING**

OF COUNSEL:

Paul J. André
Lisa Kobialka
KING & SPALDING LLP
333 Twin Dolphin Drive
Suite 400
Redwood Shores, CA 94065
(650) 590-0700

Philip A. Rovner (#3215)
Jonathan A. Choa (#5319)
POTTER ANDERSON & CORROON LLP
Hercules Plaza
P. O. Box 951
Wilmington, DE 19899
(302) 984-6000
provner@potteranderson.com
jchoa@potteranderson.com

*Attorneys for Plaintiff and Counterdefendant
Leader Technologies, Inc.*

Dated: January 5, 2011

I. BACKGROUND

On December 28, 2010, Facebook filed a motion to redact portions of the electronic transcript of the hearing held on March 12, 2010. Facebook did not even attempt to make a reasonable effort to come to an agreement regarding this motion. *See* Local Rule 7.1.1. Facebook claims that during the March 12, 2010 teleconference, confidential and proprietary information regarding Facebook was discussed. D.I. 673. Specifically, Facebook claims that information designated as source code, or the substance thereof, is subject to the utmost protection. *Id.*

II. RELIEF REQUESTED

Leader respectfully requests that the Court deny Facebook's motion for redaction of electronic transcript of the March 12, 2010 hearing.

III. BASIS FOR RELIEF

A Stipulated Protective Order was entered by the Court in this matter on April 28, 2009. D.I. 35. Pursuant to its terms, the parties may designate as confidential *only* non-public confidential and/or proprietary information protectable under Rule 26(c) of the Federal Rules of Civil Procedure. Facebook's list of proposed redactions of the transcript does not refer to any confidential information, but only refers to discussions regarding Leader's request for documents, specifically, Wiki pages. *See* D.I. 673, Ex. A. The information discussed did not contain non-public, proprietary business information related to the development of the Facebook website. Facebook's proposed redactions consist of general discussions regarding how Wiki pages work and Mr. Moskovitz's testimony that engineering presentations would be posted on the Wiki pages. *See* D.I. 673, Ex. A. The details of the Wiki pages or actual content contained in the Wiki pages and presentations was not provided in the proposed redactions. In addition, no

source code was provided in the proposed redactions. As such, this information is not confidential and should not be redacted from the public record.

IV. CONCLUSION

Leader respectfully requests that the Court deny Facebook's Motion For Redaction of the Electronic Transcript of the Hearing on March 12, 2010.

POTTER ANDERSON & CORROON LLP

OF COUNSEL:

Paul J. André
Lisa Kobialka
KING & SPALDING LLP
333 Twin Dolphin Drive
Suite 400
Redwood Shores, California 94065-6109
(650) 590-7100

Dated: January 5, 2011
995623

By: /s/ Philip A. Rovner

Philip A. Rovner (#3215)
Jonathan A. Choa (#5319)
Hercules Plaza
P.O. Box 951
Wilmington, DE 19899
(302) 984-6000
provner@potteranderson.com
jchoa@potteranderson.com

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CERTIFICATE OF SERVICE

I, Philip A. Rovner, hereby certify that on January 5, 2011, the within document was filed with the Clerk of the Court using CM/ECF which will send notification of such filing(s) to the following; that the document was served on the following counsel as indicated; and that the document is available for viewing and downloading from CM/ECF.

BY CM-ECF AND E-MAIL

Thomas P. Preston, Esq.
Steven L. Caponi, Esq.
Blank Rome LLP
1201 Market Street
Wilmington, DE 19801
Preston-T@blankrome.com
caponi@blankrome.com

I hereby certify that on January 5, 2011 I have sent by E-mail the foregoing document to the following non-registered participants:

Heidi L. Keefe, Esq.
Mark R. Weinstein, Esq.
Jeffrey Norberg, Esq.
Melissa H. Keyes, Esq.
Cooley LLP
Five Palo Alto Square
3000 El Camino Real
Palo Alto, CA 94306-2155
hkeefe@cooley.com
mweinstein@cooley.com
jnorberg@cooley.com
mkeyes@cooley.com

Dennis P. McCooe, Esq.
Blank Rome LLP
One Logan Square
Philadelphia, PA 19103
mccooe@blankrome.com

Elizabeth L. Stameshkin, Esq.
Cooley LLP
101 California Street, 5th Floor
San Francisco, CA 94111
estameshkin@cooley.com

/s/ Philip A. Rovner

Philip A. Rovner (#3215)
Potter Anderson & Corroon LLP
Hercules Plaza
P. O. Box 951
Wilmington, DE 19899
(302) 984-6000
provner@potteranderson.com