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March 17, 2011

BY E-FILE

The Honorable Leonard P. Stark
U.S. District Court for the District of Delaware
U.S. Courthouse
844 N. King Street
Wilmington, DE 19801-3556

Re: Leader Technologies, Inc. v. Facebook, Inc., C. A. No. 08-862-LPS

Dear Judge Stark:

We write to request a status conference before Your Honor to discuss the best way to proceed in the above referenced case following issuance of the Court's recent Orders (D.I. 683-687). Currently, there are two outstanding triable issues in this case that need to be resolved before Leader may file an appeal as of right in this matter. Those two issues are Facebook's false marking claim that Leader's products do not practice the invention of the '761 Patent, and Facebook's inequitable conduct claim (D.I. 190). However, rather than proceeding to a second trial, Leader believes that a Rule 54(b) certification on the issues that were decided by the jury and this Court in its Orders this week is appropriate in order to avoid a waste of both judicial and party resources.

We have met and conferred with Facebook's counsel regarding this issue. Facebook is unwilling to stipulate to a Rule 54(b) certification of the Court's March 14, 2011 Orders. Accordingly, Leader requests a brief teleconference to determine how the parties should proceed in light of the current circumstances.

Respectfully,

/s/ Philip A. Rovner

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